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Papers Relating to the
Foreign Relations
of the
United States
Japan: 1931-1941

(In Two Volumes)

Volume I



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PREFACE

The documents published in these volumes were selected with a view to presenting a comprehensive record of the diplomatic relations between the United States and Japan in regard to matters related to the causes of conflict between the two countries from the beginning of the Japanese occupation of Manchuria on September 18, 1931, to the Japanese surprise attack on Pearl Harbor on December 7, 1941, and the declaration of war by the United States on December 8, 1941. The amount of background material here printed has been limited by the necessity of keeping the publication within a reasonable compass. It was obviously impossible to include an absolutely complete selection of even the more important of the pertinent reports coming to the Department from American diplomatic representatives and other observers during the ten years covered. Therefore only reports of special significance have been selected.

While the American Government consulted with other interested powers and at times took parallel action in dealing with crises arising in the Far East during this period, it was not its practice to take unilateral action. It has therefore been thought advisable to limit the publication to those documents relating directly to American-Japanese relations without entering into the ramifications of discussions with other powers.

The correspondence with the Japanese Government with respect to claims by American nationals due to bombings and other acts of Japanese armed forces in China is so voluminous that documents in record of representations in many individual cases have been omitted. This printed record therefore includes only the record of representations of a general character and a number of notes on particular incidents which were thought to be typical.

It is contemplated that additional documents relative to some of the developments treated in the present publication and to other aspects of the policy of the United States toward the Far East during the years 1931-1941 will be published in the regular annual volumes of the *Relations of the United States*.

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1931 Sept. 19 (599)	<i>From the Minister in China (tel.)</i> Report that at 10 p. m. on September 18 Japanese soldiers began firing on Mukden and that at 1 a. m., September 19, the city was apparently surrounded.	
Sept. 21 (155)	<i>From the Chargé in Japan (tel.)</i> Information that Antung, Newchwang, and Changchun have been occupied. Statement by the Chinese Chargé in Japan that the Foreign Office had informed him that orders had been issued to stop military operations but that Japan was determined to protect its civilians in Manchuria.	
Sept. 21 (614)	<i>From the Minister in China (tel.)</i> Information that all South Manchuria has been occupied. Japanese statement claiming that the action was precipitated by a clash between Japanese guards and Chinese soldiers attempting to destroy the South Manchuria Railway tracks. Opinion that the action was the result of careful planning.	
Sept. 22 (157)	<i>From the Chargé in Japan (tel.)</i> Probability that the Japanese Army seized upon the railway incident and occupied whole area as a military measure to force liquidation of outstanding issues. Opinion that the Foreign Office was genuinely surprised by action of the Army.	
Sept. 22 (625)	<i>From the Minister in China (tel.)</i> Conclusion that the occupation of South Manchuria is an aggressive act by Japan, apparently long planned, and that the signatories of the Kellogg Treaty should pronounce themselves in this regard.	
Sept. 22	<i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador during which the Ambassador was given a memorandum of a verbal statement (text printed) expressing the concern of the U. S. Government in regard to the events in Manchuria, and in which the Ambassador expressed his surprise and inability to understand the causes of what had happened.	
Sept. 24 (166)	<i>To the Chargé in Japan (tel.)</i> Review of the Department's actions in the Manchurian situation, especially with respect to the Department's response	

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1931 Sept. 24 (341)	<p><i>To the Minister in China (tel.)</i> Statement of the Department's policy in regard to the League of Nations' action in the Manchurian situation. League's adoption of U. S. suggestion that commission to Manchuria be not a military one but a commission appointed by both parties to the dispute. (Instructions to repeat to Tokyo.)</p>
Undated [Rec'd Sept. 25]	<p><i>From the Japanese Embassy</i> Statement issued after an extraordinary Cabinet meeting September 24, 1931, outlining the incidents leading to the occupation of South Manchuria and reiterating the statement that Japan has no territorial designs in Manchuria.</p>
Sept. 28 (163)	<p><i>From the Chargé in Japan (tel.)</i> Note from the Foreign Minister (text printed) giving assurances in response to U. S. representations.</p>
Sept. 30	<p><i>Resolution Adopted by the Council of the League of Nations</i> Affirming and requesting the speedy execution of: (1) Japan's commitment that it has no territorial designs in Manchuria and will withdraw troops as rapidly as possible; and (2) China's commitment that it will assume responsibility for safety of lives and property of Japanese nationals.</p>
Oct. 8 (178)	<p><i>From the Chargé in Japan (tel.)</i> Information that the General Staff has issued a bulletin stating that the banditry and atrocities committed by the defeated Chinese troops make it impossible to withdraw the Japanese Army.</p>
Undated [Rec'd Oct. 8]	<p><i>From the Japanese Embassy</i> Memorandum to be presented to the Chinese Government on October 9, 1931 (text printed), complaining of anti-Japanese activities in China.</p>
Oct. 9 (191)	<p><i>To the Chargé in Japan (tel.)</i> Instructions to ask the Foreign Minister: (1) whether the Japanese Government gave its assent to the General Staff bulletin which stated that the Japanese Army could not be withdrawn, and (2) whether Japanese airplanes have bombed Chinchow.</p>
Oct. 9 (73)	<p><i>To the Consul at Geneva (tel.)</i> Instructions to present to the Secretary General of the League of Nations a memorandum dated October 5 (text printed), indicating approval of the course taken by the League and stating that the U. S. Government, acting independently, will endeavor to reinforce League action.</p>
Oct. 10 (192)	<p><i>To the Chargé in Japan (tel.)</i> Concern over reported failure of Japan and China to carry out the commitments made to the League of Nations; instructions to impress upon the Foreign Minister the dangers involved in such failure.</p>
Oct. 10 (180)	<p><i>From the Chargé in Japan (tel.)</i> Conversation with the Foreign Minister in which he stated that the General Staff bulletin was not a Government pronouncement and in which he offered an explanation of it.</p>

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1931 Oct. 10	<i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Secretary requested the Ambassador to express to the Foreign Minister his concern over recent events, including the Foreign Minister's statement that the bombing of Chinchow was of no importance.	1
Oct. 11 (194)	<i>To the Chargé in Japan (tel.)</i> Instructions to deliver to the Foreign Minister a statement to the effect that the Secretary considers the explanation of the Chinchow bombing quite inadequate and regards the matter as of very serious importance (text printed).	2
Oct. 12 (182)	<i>To the Chargé in Japan (tel.)</i> Report that the message contained in the Department's telegram No. 192, October 10, 1931, was delivered to the Foreign Minister who had received similar messages from the President of the Council of the League and from the British and French Ambassadors; Foreign Minister's statement that the matter could be settled speedily by direct negotiations.	2
Oct. 12	<i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Ambassador presented the Foreign Minister's reply to the Secretary's message of October 10 in regard to the Chinchow bombing, and in which the Secretary stated his decision to authorize Gilbert, the U. S. Consul at Geneva, to sit with the Council of the League in certain discussions in order to show that the United States stood with the other nations of the world vis-à-vis Japan.	2
Oct. 14	<i>Memorandum by the Under Secretary of State</i> Conversation with the Japanese Ambassador in which the Ambassador made known the five points which the Foreign Minister proposes as the bases for direct negotiations with China.	2
Oct. 14	<i>Memorandum by the Under Secretary of State</i> Conversation with the Japanese Ambassador who indicated that his Government would be opposed to a neutral commission should the League propose it, and brought up the Shantung negotiations as a possible method of procedure.	2
Oct. 16	<i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Secretary said that he was sorry that the Japanese Government had opposed the participation of the United States in the League discussions of the Kellogg Pact since such opposition gave the appearance of a personal issue between Japan and the United States.	2
Oct. 20 (200)	<i>To the Chargé in Japan (tel.)</i> Instructions to present a note to the Foreign Minister (text printed), calling attention to the obligations assumed under the Treaty for the Renunciation of War. Instruction to inform him that an identic note is being delivered to the Chinese.	2

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1931 Oct. 24 (193)	<p><i>From the Chargé in Japan (tel.)</i> Note from the Foreign Minister and accompanying statement (texts printed), setting forth Japan's position with regard to the Treaty for the Renunciation of War and disclaiming any thoughts of recourse to war for the solution of outstanding differences with China.</p>
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Oct. 26 (259)	<p><i>From the Consul at Geneva (tel.)</i> Summary of the action of the Council of the League in regard to the Sino-Japanese conflict; impasse over Japan's demands that long-standing problems be settled in advance of the withdrawal of Japanese troops.</p>
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Undated [Rec'd Nov. 9]	<p><i>From the Japanese Embassy</i> Outline of the Japanese position with respect to the settlement of fundamental problems as a condition precedent to withdrawal.</p>
Nov. 10 (326)	<p><i>To the Ambassador in Great Britain (tel.)</i> Instructions to proceed to Paris to be available for conference with members of the Council, in view of the fact that the discussions of the Manchurian situation will involve American interests; background information and general instructions.</p>
Nov. 19	<p><i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Secretary stated that he could not but regard the occupation of Tsitsihar by Japanese troops as a violation of the Kellie-Pact and the Nine-Power Treaty, and that he must reserve full liberty to publish all U. S.-Japanese correspondence regarding the Manchurian situation.</p>
Nov. 21	<p><i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Ambassador stated that his Government would withdraw forces from Tsitsihar as soon as possible and that it intended to adhere to the policy outlined in the Embassy's memorandum handed to the Secretary on November 9, and in which the Ambassador reported that Japan was now willing to</p>

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FURTHER JAPANESE POLITICAL AND ECONOMIC PENETRATION INTO CHINA
1934-1936

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ABANDONMENT BY JAPAN OF COOPERATION WITH OTHER POWERS IN EFFORTS
FOR LIMITATION OF NAVAL ARMAMENTS

DENUNCIATION BY JAPAN OF THE WASHINGTON NAVAL TREATY OF 1922

1933 Sept. 15 (520)	(Note: Information that preliminary and exploratory naval conversations among representatives of United States, Great Britain, and Japan were held in London in 1934 in preparation for the London Naval Conference of 1935, and that Mr. Norman H. Davis represented the United States at these conversations.) <i>From the Ambassador in Japan</i> Information that the announcement of the U. S. naval construction program has completely upset the calculations of the Japanese naval leaders who have built up an intense antipathy for the arms limitation treaties and a universal demand for ratio revision in Japan's favor. Interview given by the Naval Minister to United Press correspondent (text printed).	249
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WITHDRAWAL OF JAPAN FROM THE LONDON NAVAL CONFERENCE OF 1935

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1937 Oct. 6	<p><i>First Report Adopted by the League of Nations Assembly</i></p> <p>The subcommittee's review of the Sino-Japanese situation since the incident of July 7, 1937, conclusion that the military operations carried on by Japan against China are out of proportion to the incident that occasioned the conflict and that Japan's actions are in contravention of her obligations under the Nine-Power Treaty and the Pact of Paris.</p>
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Oct. 6	<p><i>Press Release Issued by the Department of State</i></p> <p>Statement that the U. S. Government's conclusions with respect to Japan's actions in China are in general accord with those of the Assembly of the League of Nations.</p>
Oct. 7	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation between the Japanese Ambassador and the Secretary of State during which the Ambassador asked whether, in the light of the Department's action of October 6, 1937, the Department has in mind any further course of action. The Secretary replied that no particular step is being considered at present.</p>
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Feb. 17	<i>Press Release Issued by the Department of State</i> Telegram from the U. S. Consul General at Shanghai, February 16, 1938 (text printed), reporting that the Sixth Regiment of Marines will sail from Shanghai February 17, 1938.	450
Mar. 3	<i>Press Release Issued by the Department of State</i> Report from the Consul General at Tientsin (text printed) that the Fifteenth Infantry, U. S. Army, has left Tientsin; and description of the friendly demonstrations by all nationalities which marked their departure.	451
Mar. 4	<i>Statement by the Japanese Minister for Foreign Affairs to the Budget Committee of the Lower House of the Japanese Diet</i> Assertion that it is Japan's idea, as the central support of peace in the Far East, to work for the security and progress of East Asia just as the United States is working for peace on the American continent as the central figure there; opinion that if both parties understand their respective positions, there can be no cause for conflict.	451
Mar. 10	<i>Statement by the Japanese Military Commander in Central China</i> Declaration that Japanese forces may have to remain in China for 5 years, 10 years, or 100 years, depending on the circumstances; assurances that neutral rights will be respected, but that injustices in the name of foreign rights cannot be recognized.	452

Date and number	Subject	Page
1938 Mar. 17	<i>Address Delivered by the Secretary of State</i> Detailed discussion of some of the fundamental conditions and problems presented by American international relations and foreign policy.	452
Apr. 14	<i>To the British Embassy</i> Inclination of the United States to await a time when developments in the Sino-Japanese conflict are such as to render more opportune an offer of good offices by a third country or countries.	463
May 16 (2936)	<i>From the Ambassador in Japan</i> Remarks made to foreign press correspondents by the Foreign Minister and by the Prime Minister in interviews on May 9, 1938, their principal point being that the hostilities in China must go on to a finish and that the Japanese Government would have no dealings with the Chiang Kai-shek regime, even if that leader were to sue for peace.	464
July 7	<i>Statement by the Japanese Prime Minister</i> Appeal for national unity on the first anniversary of the beginning of the China incident; intimation that the foreign powers who are aiding the Chiang regime may try to threaten Japan's national safety.	467
Aug. 2	<i>Press Release Issued by the Department of State</i> Announcement that the U. S. Ambassador in China and his staff have departed from Hankow for Chungking, where the Chinese Foreign Office has been removed; but that the U. S. Consul General and his staff will remain at Hankow.	470
Aug. 16	<i>Radio Address by the Secretary of State</i> Review of the foreign policy and objectives of the United States.	471
Sept. 21	<i>Memorandum by the Secretary of State</i> Extract from an account of a conversation with the Hungarian Minister during which the Secretary stated that since August 1937 he had proceeded on the theory that Japan is seeking by any and every means to secure domination over that half of the world.	475
Oct. 12 (657)	<i>From the Ambassador in Japan (tel.)</i> Communication from the Foreign Office (text printed) giving informal notification that the Japanese forces intend to launch military operations in Kwangtung Province for the sole purpose of cutting the supply lines of the Chiang forces; assurances in regard to the rights of third powers.	476
Oct. 13	<i>Memorandum by the Chief of the Division of Far Eastern Affairs</i> Conversation with the Counselor of the Japanese Embassy in reference to the landing of Japanese troops in South China; the Counselor's assurances in regard to Japanese intentions.	477
Nov. 3	<i>Statement by the Japanese Government</i> Announcement of the capture of Canton and the three Wuhan cities; expression of determination not to lay down arms until the Chiang regime is crushed; explanation of the new order in East Asia which Japan seeks to establish.	477

Date and number	Subject	Page
1938 Nov. 3	<i>Radio Speech by the Japanese Prime Minister</i> Enunciation of the views of the Government to meet the new situation created by the capture of the Wuhan cities; and an appeal to the nation to make a fresh determination to attain the objects of the crusade in China.	478
Nov. 4	<i>Statement by the Secretary of State</i> Response to requests by the press for comments on the statement issued by the Japanese Government; reiteration that the position of the U. S. Government is governed by: (1) the principles of international law, (2) the provisions of treaties to which the United States is a party, and (3) by the principles of fair play.	481
Dec. 22	<i>Statement by the Japanese Prime Minister</i> Announcement of Japan's basic policy for adjusting the relations between Japan and China.	482

BOMBINGS OF CIVILIANS BY THE JAPANESE AND OTHER ACTS ENDANGERING
THE LIFE AND WELFARE OF AMERICAN CITIZENS IN CHINA

1937

1937 Aug. 22	<i>From the Commander in Chief of the United States Asiatic Fleet, et al., to the Commander of the Japanese Third Battle Fleet at Shanghai</i> Information that as a result of the practice of a Japanese destroyer of anchoring at night near the U.S.S. <i>Augusta</i> a shell fell on the <i>Augusta's</i> deck on the night of August 20 killing one man and wounding 18 others. Request that the Japanese men-of-war be kept below Hongkew Creek at all times in order to reduce danger to neutral vessels.	487
Aug. 23 (299)	<i>From the Ambassador in Japan (tel.)</i> Information that a list of places of residence of U. S. missionaries has been delivered to the Foreign Office. Foreign Office oral reply (text printed) stating that, desiring as Japan does to avoid harm to Americans, the Japanese Navy has issued orders to that effect and the Navy suggests that American properties be conspicuously marked and Americans be advised to evacuate such properties as may become occupied by Chinese forces.	488
Aug. 23 (302)	<i>From the Ambassador in Japan (tel.)</i> Report that oral representations have been made to the Foreign Office in support of the recommendation of five Ambassadors in China that Japanese bombers be instructed to avoid operations in a specified area of Nanking. Foreign Office reply (text printed) expressing Japan's desire to protect the Embassies of foreign powers but stating that there are Chinese military works in the same area and that should China use these for hostile acts, Japan would have to take necessary steps to cope with the situation.	489

Date and number	Subject	Page
1937 Aug. 27 (781)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Reservation by the U. S. Government of all rights in respect to damages sustained by American nationals as a result of the activities of Japanese forces in the military operations now in progress in China.</p>	49
Aug. 30 (180)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Telegram from the U. S. Embassy in China (text printed) stating that the British, German, Italian, French, and U. S. Embassies in China suggest that the several Ambassadors in Tokyo represent to the Japanese Government that the Hankow-Canton-Hong Kong railway is being used to evacuate foreign nationals and that it is hoped that the Japanese will not bombard or machine gun the trains or otherwise interrupt their use for evacuation.</p> <p>Department's approval of the suggested action.</p>	49
Aug. 30 (183)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Telegram from the U. S. Embassy in China (substance printed) asking whether, since U. S. citizens will have to use the railways and motor roads of China in leaving for places of safety, the several Governments could not properly represent to the Japanese Government that it refrain from attacks on defenseless cities, hospitals, trains, motor cars, etc.</p> <p>Instructions to invite the attention of the Foreign Office to the situation and to suggest to the interested Ambassadors the advisability of their taking similar action.</p>	49
Aug. 31 (333)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Note to the Foreign Minister in regard to the Hankow-Canton-Hong Kong railway (text printed). Information that the British and French Ambassadors are addressing similar notes to the Foreign Minister but that the German and Italian Ambassadors envisage only an oral approach.</p>	49
Aug. 31 (102, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Statement that, since the Japanese operations in China are confined to measures of defense against illegal and provocative attacks on the part of China, the Japanese Government is not liable for damages sustained by nationals of third countries as a result of fighting in that area.</p>	492
Sept. 1	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister for the purpose of appealing to him to take steps to obviate the risks to which Americans in China are constantly subjected. The Foreign Minister's reply that the Japanese forces intended to attack only military objectives but that sometimes bombs went astray and accidents happened; his promise to bring the Ambassador's representations to the attention of the War and Navy Ministries.</p>	492
Sept. 1	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request for the discontinuance of such bombing operations over Nanking as might result in destruction of nonmilitary</p>	494

Date and number	Subject	Page
1937 Sept. 3 (108, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan.</i></p> <p>Statement that the Japanese Government is taking all possible measures to protect the lives and property of foreigners but that, since the Chinese are using the Hankow-Canton-Hong Kong railway for military purposes, the Japanese Government cannot guarantee to refrain from interrupting its operations.</p>	49
Sept. 6 (788)	<p><i>From the Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Recommendations made by the commanders in chief of the American, British, and French naval forces at Shanghai to the Japanese naval commander at Shanghai and the Chinese military commander in Pootung following the artillery duel of September 3, 1937, during which shells fell into the International Settlement. Hope that these recommendations may be acted upon favorably.</p>	49
Sept. 10 (112, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Opinion of the Japanese naval commander at Shanghai that the measures recommended would not effect the safety of the Settlement; counterproposals advanced by the Japanese Government.</p>	49
Sept. 14 (205)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Instructions to inform the Foreign Office that the U. S. Government cannot accept the position of the Japanese Government that it is not liable for damages sustained by nationals of third countries as a result of the fighting in China, and that the U. S. Government will look to the Japanese Government for compensation.</p> <p>(Footnote: Information that the note was delivered on September 15, 1937.)</p>	49
Sept. 15	<p><i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i></p> <p>Statement that Nanking is an appropriate object for Japanese bombing operations but that such operations are limited to military organs and establishments and that the Japanese Government regrets that noncombatants sometimes become victims; assurance that nothing is further from the thoughts of the Japanese forces than to make attacks upon defenseless cities, hospitals, trains, and motor cars not used by the Chinese for military purposes.</p>	49
Sept. 17 (796)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Emphatic objections of the U.S. Government to attacks upon American nationals and humanitarian establishments, in view of the attack of September 12, 1937, by Japanese planes upon an American missionary hospital at Waichow, Kwangtung Province.</p>	49

Date and number	Subject	Page
1937 Sept. 19 (728)	<p><i>From the Consul General at Shanghai (tel.)</i></p> <p>Notice issued by the commander in chief of the Japanese Third Fleet (text printed) that after noon of September 21, 1937, the Japanese naval air force may have to resort to such offensive measures as bombing against Chinese forces and military establishments in and around Nanking, and advising foreigners and foreign warships to move into areas of greater safety.</p>	499
Sept. 20	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador made emphatic representations against the announced plans to bomb Nanking, while expressing appreciation with regard to Japanese arrangements to avoid bombing the Hankow-Canton railway and further appreciation with regard to the Japanese note expressing regret for the bombing of the American missionary hospital at Waichow and offering to consider indemnification. Opinion that the civil government in Tokyo has very little influence with the military and naval forces where their general objectives are concerned.</p>	500
Sept. 20	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation with the Japanese Ambassador in which the Acting Secretary expressed the U.S. Government's deep concern in regard to the announced plans to bomb Nanking and pointed out that only 48 hours' notice had been given and that no areas of greater safety had been specified.</p>	502
Sept. 21 (0021)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Commander of the Yangtze Patrol (tel.)</i></p> <p>Letter sent to the commander in chief of the Japanese Third Battle Fleet (text printed) notifying him that the two U.S. gunboats must remain at Nanking as long as the U.S. Embassy and U.S. nationals are there, and requesting that the Japanese naval air force be instructed not to drop bombs in the vicinity of these vessels.</p>	503
Sept. 22 (780)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Statement that, with regard to the announced plan to bomb Nanking, the U.S. Government objects both to such jeopardizing of its nationals and to the suggestion that its officials and nationals should withdraw from the areas where they are lawfully engaged in legitimate activities; reservation of all rights in respect to damages which might result; and expression of the hope that further bombings in the Nanking area will be avoided.</p>	504
Sept. 25	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation with the Counselor of the Japanese Embassy in which the Counselor, in referring to the intended bombing of Nanking, gave assurances that the Japanese military authorities had no intention of bombing other than military objectives, and was informed that in spite of a number of such assurances all reports indicated that large numbers of noncombatants were being killed.</p>	505
Sept. 27	<p><i>Resolution Adopted by the League of Nations Advisory Committee</i></p> <p>Solemn condemnation of the aerial bombardment of open</p>	506

Date and number	Subject	Page
1937 Sept. 28	<p><i>Press Release Issued by the Department of State</i></p> <p>Statement with reference to the League resolution of September 27, 1937, that the U.S. Government holds the view that any general bombing of a large populace engaged in peaceful pursuits is unwarranted and contrary to principles of law and of humanity.</p>	506
Sept. 29 (431)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Foreign Office note, September 29 (text printed), stating that the bombing of military objectives in the Nanking area is a necessary measure; expressing desire for the safety of nationals of third countries and hope for U.S. cooperation with the measures taken by the Imperial Japanese Government; and conveying the information that the Japanese Government's view with regard to damages to nationals of third countries remains unchanged.</p>	507
Sept. 30 (435)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Memorandum from the Foreign Office (text printed) requesting that a list be supplied indicating the locations of U.S. charitable institutions in China. Suggestion that the Department instruct Nanking whether it desires that such information be supplied.</p>	508
Oct. 1	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Substance of a telegram from the U. S. Minister in China (text printed), reporting the bombing of Nanking and naming nonmilitary establishments which apparently have been the targets of Japanese bombers.</p>	508
Oct. 5 (250)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Instructions to say to the Foreign Office that the U.S. Government perceives no need for the supplying of a list of the locations of U.S. properties in China, with the possible exception of those near Chinese military establishments, but that the U.S. Government's reservation of rights will in no way be affected by the fact of its having given or not having given such information.</p>	509
Oct. 5 (251)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Information that much unfavorable press comment has been caused by the use of the expression "cooperation with measures taken by the Imperial Japanese Government" in the Foreign Office note transmitted in the Embassy's telegram No. 431, September 29, 1937. Instructions to make clear to the Foreign Minister that what the U. S. Government seeks and expects is not "cooperation" between the two countries in any phase of military operations but that Americans shall not be endangered by any military operations.</p>	510
Oct. 7	<p><i>Memorandum by the Counselor of the American Embassy in Japan</i></p> <p>Record of a conversation in which the Department's telegrams No. 250 and No. 251 of October 5, 1937, were read to the Director of the American Bureau of the Japanese Ministry for Foreign Affairs.</p>	511

Date and number	Subject	Page
1937 Oct. 24 (0024)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Chief of Naval Operations (tel.)</i></p> <p>Letter to the commander in chief of the Japanese Third Battle Fleet (text printed), listing instances when bombs and shells have fallen on the sector of the International Settlement at Shanghai guarded by U.S. Marines; calling attention to the bomb dropped in the sector on October 22, 1937, in spite of repeated representations by the Marine commander and repeated Japanese assurances; and requesting that urgent steps be taken to prevent recurrences.</p>	512
Oct. 27	<p><i>Press Release Issued by the Department of State</i></p> <p>Information that on October 24, 1937, a party of 10 persons including 5 Americans, while horseback riding in the British sector of the International Settlement, were machine gunned by an airplane stated to be Japanese; that in reply to oral representations made by the U.S. Ambassador in Japan a note dated October 26 has been received from the Japanese Foreign Office (text printed) expressing regret and offering to make necessary compensation in respect of any injury incurred by U.S. nationals.</p>	513
Oct. 29 (0029)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Chief of Naval Operations (tel.)</i></p> <p>Communication from the commander in chief of the Japanese Third Battle Fleet (text printed) expressing regret concerning the incident of October 22, 1937, and giving assurances that the Japanese naval forces have been instructed to exercise greater care in the future.</p>	513
Nov. 2	<p><i>Press Release Issued by the Department of State</i></p> <p>Tabulation of latest available figures on the number of U. S. nationals who have been evacuated from Shanghai and the number remaining.</p>	514
Nov. 2 (0002)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Chief of Naval Operations (tel.)</i></p> <p>Report on a conference with the Japanese Military Attaché at which the senior British, French, Italian, and Netherlands naval officers were also present and at which the Japanese were emphatically informed of the gravity of the situation. Belief, however, that incidents will continue as long as the Settlement is flanked by both Japanese and Chinese forces.</p>	515
Nov. 12 (0012)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Chief of Naval Operations (tel.)</i></p> <p>Letter to the commander in chief of the Japanese Third Battle Fleet (text printed) requesting that he use his influence to prevent the indiscriminate bombing of Soochow announced for November 13, 1937, or at least to provide time for arranging a mutual agreement upon a safe area to which refugees can be taken.</p>	516

SINKING OF THE U. S. S. "PANAY," DECEMBER 12, 1937

1937 Undated	<p><i>Summary of Events at Nanking Between November 21 and December 10, 1937</i></p> <p>Description of the developing situation including the</p>	517
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Date and number	Subject	Page
1937 Dec. 12 (340)	<p><i>To the Ambassador in Japan (tel.)</i> Information that the U.S.S. <i>Panay</i> and three Standard Oil steamers are reported to have been bombed and sunk at a point 27 miles above Nanking; instructions to inform the Foreign Minister and to ask for information and request that the Japanese Government immediately take appropriate action.</p>	519
Dec. 13 (619)	<p><i>From the Ambassador in Japan (tel.)</i> Information that the Ambassador on his own initiative has called on the Foreign Minister leaving with him an <i>aide-mémoire</i> and portions of telegrams received from the Embassies at Nanking and Hankow giving the facts with regard to the <i>Panay</i> and American refugees on the Standard Oil ships.</p>	520
Dec. 13	<p><i>Press Release Issued by the Department of State</i> Information that the Secretary is getting all the facts concerning the sinking of the <i>Panay</i> and that when they are assembled, representations will be made to Tokyo; statement of the facts received so far.</p>	521
Dec. 13 (622)	<p><i>From the Ambassador in Japan (tel.)</i> Visit from the Foreign Minister to bring the information of the bombing of three Standard Oil vessels and the sinking of the <i>Panay</i> and to express the profound apology of the Japanese Government; the Foreign Minister's statement that the commander in chief of the Japanese Third Battle Fleet has accepted full responsibility for the accident.</p>	521
Dec. 13	<p><i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in which the Ambassador expressed the full apologies and regrets of his Government and in which the Secretary read a memorandum from President Roosevelt (text printed) setting forth his expectations of a full expression of regret and a proffer of full compensation and guarantees against similar attacks in the future.</p>	522
Dec. 13 (342)	<p><i>To the Ambassador in Japan (tel.)</i> Note for the Foreign Minister (text printed) setting forth the expectations of the U.S. Government. Instructions to inform the British Ambassador before presenting the note but not to await action by him.</p>	523
Dec. 14 (630)	<p><i>From the Ambassador in Japan (tel.)</i> Note from the Foreign Office (text printed) stating that, while the sinking of the <i>Panay</i> and Standard Oil vessels was due to a mistake, the Japanese Government regrets the incident and presents its sincere apologies; that the Government will make indemnifications and will deal appropriately with those responsible for the incident; and that orders have been issued to prevent similar incidents.</p>	524
Dec. 14 (631)	<p><i>From the Ambassador in Japan (tel.)</i> Report that a note has been delivered to the Foreign Minister in accordance with the Department's instructions; that it has been pointed out to the Foreign Minister that while the Japanese note delivered earlier in the day is responsive to some of the points set forth by the U.S. Government, it does not</p>	526

Date and number	Subject	Page
1937 Dec. 15 (638)	<i>From the Ambassador in Japan (tel.)</i> Report that the senior aide to the Navy Minister called on the U.S. Naval Attaché and conveyed the information that the Navy has taken steps to avoid the future occurrence of incidents similar to the sinking of the <i>Panay</i> and that the commanding officer of the naval air force at Shanghai has been transferred to a post in home waters.	526
Dec. 16 (350)	<i>To the Ambassador in Japan (tel.)</i> Instructions to make a statement to the Foreign Minister pointing out the seriousness of the reports now reaching the U.S. Government which give definite indications of deliberateness of intent on the part of the Japanese forces which attacked the <i>Panay</i> and the U.S. merchant ships, and also pointing out that these reports give added importance to the question of the Japanese undertaking to deal appropriately with those responsible and to the question of the character of the steps to be taken to ensure the future safety of Americans in China.	527
Dec. 16 (645)	<i>From the Ambassador in Japan (tel.)</i> Request for instructions in regard to the many cash donations being made for the benefit of Americans in the <i>Panay</i> disaster in view of the realization that their acceptance might prejudice the principle of indemnification.	528
Dec. 17 (647)	<i>From the Ambassador in Japan (tel.)</i> Report that the instructions embodied in the Department's No. 350, December 16, 1937, have been carried out.	528
Dec. 17	<i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in regard to the <i>Panay</i> incident, in which the Secretary again referred to the question of whether the Army and Navy officials involved were going to be dealt with properly.	529
Dec. 18 (361)	<i>To the Ambassador in Japan (tel.)</i> Suggestion that Prince Tokugawa or some other outstanding Japanese personage might be asked to constitute himself an authorized recipient for <i>Panay</i> sympathy donations, public announcement to be made of such arrangement with an accompanying announcement that the funds will be devoted to something testifying to good will between the two countries but will not be conveyed to the U. S. Government or U.S. nationals.	530
Dec. 20 (662)	<i>From the Ambassador in Japan (tel.)</i> Information that the senior aide to the Navy Minister has informed the U.S. Naval Attaché of a report on the <i>Panay</i> incident made by the commander of the Japanese Yangtze Patrol (substance printed).	531
Dec. 21	<i>From the Second Secretary of Embassy in China</i> Complete report on the <i>Panay</i> incident, the actions of those on board, and the subsequent dangers to which they were subjected by the Japanese forces.	532
Dec. 23 (371)	<i>To the Ambassador in Japan (tel.)</i> Information that the report of the findings of the Naval Court of Inquiry is being sent separately and is to be com-	541

Date and number	Subject	Page
1937 Dec. 23	<i>From the Commander in Chief of the United States Asiatic Fleet to the Secretary of the Navy (tel.)</i> Report of the findings of the Court of Inquiry.	542
Dec. 23 (0023)	<i>From the Commander in Chief of the United States Asiatic Fleet to the Secretary of the Navy (tel.)</i> Opinion of the Court of Inquiry.	546
Dec. 23 (676)	<i>From the Ambassador in Japan (tel.)</i> Account of a conference at the Embassy during which the Vice Minister of the Navy made a statement and various Japanese naval and military officers made reports in which the main effort was to prove that the <i>Panay</i> incident was due to mistakes and was unintentional.	547
Dec. 24 (679)	<i>From the Ambassador in Japan (tel.)</i> <i>Panay</i> note handed to the Ambassador by the Foreign Minister at 7 p. m. (text printed), with the statement that the Japanese Government has no objections to its immediate publication in the United States.	549
Dec. 25 (376)	<i>To the Ambassador in Japan (tel.)</i> Note for the Foreign Minister (text printed) stating that the U.S. Government regards the action taken by the Japanese Government, as set forth in its <i>Panay</i> note of December 24, 1937, as responsive to the request made by the U.S. Government in its note of December 14, 1937.	551
Dec. 26 (683)	<i>From the Ambassador in Japan (tel.)</i> Report that a note has been delivered to the Foreign Minister in accordance with the Department's instructions No. 376, December 25, 1937, and that the Foreign Minister expressed his hearty thanks.	552
Dec. 28 (691)	<i>From the Ambassador in Japan (tel.)</i> Communication from the Navy Minister and the Chief of the General Staff to the commander in chief of the Japanese Fleet in China (text printed) emphasizing the importance of the Navy's fulfillment of the guarantees given by the Japanese Government to respect American lives, property, and interests. Reply from the commander in chief (text printed) stating that the officers and men of the Fleet are determined not to repeat the blunders.	552
1938 Jan. 14 (27)	<i>From the Ambassador in Japan (tel.)</i> Conversation with Prince Tokugawa in regard to the possible disposal of the <i>Panay</i> sympathy donations, during which Prince Tokugawa expressed fear that some donors might resent the use of the funds for other than the specific purpose for which they were given.	553
Jan. 21 (46)	<i>From the Ambassador in Japan (tel.)</i> Decision of Prince Tokugawa, on the recommendation of his personal advisers, that he should not undertake the disposal of the <i>Panay</i> donations; explanation of the delicacy and the importance to the Japanese of the customs involved; and suggestion that the money might be nominally accepted by the <i>Panay</i> survivors and then contributed by them to some worthy project in Japan, which would be viewed as a "return present" and therefore eminently proper in the Japanese scheme of	554

Date and number	Subject	Page
1938 Jan. 23 (23)	<i>To the Ambassador in Japan (tel.)</i> Explanation of the Department's difficulty in reaching a decision in view of the lack of clear indications as to the intentions of the donors in regard to the allocation of the funds; and suggestion that Prince Tokugawa might be approached again in regard to this difficulty.	556
Feb. 9 (91)	<i>From the Ambassador in Japan (tel.)</i> Resolution concerning the purpose of the contributions (text printed), adopted by a committee organized by Prince Tokugawa to represent the donors as widely as possible.	556
Feb. 12 (57)	<i>To the Ambassador in Japan (tel.)</i> Authorization to proceed in accordance with the suggestion set forth in the Ambassador's telegram No. 46, January 21, 1938.	557
Feb. 28 (139)	<i>From the Ambassador in Japan (tel.)</i> List of projects which have been suggested for the utilization of the funds; outline of a proposal that the money be held in perpetuity under a trust in Japan to be known as the America Japan Trust, the income to be expended in accordance with certain principles; and information that the fund now amounts to yen 37,099.05.	557
Mar. 2 (73)	<i>To the Ambassador in Japan (tel.)</i> Approval of the plan for a trust fund; suggestion, however, that it be so constituted as to have a wider scope so that the <i>Panay</i> contributions could gradually lose their identity in a fund which might receive accretions from time to time from other sources.	558
Mar. 19 (99)	<i>To the Ambassador in Japan (tel.)</i> Note for the Foreign Minister (text printed) stating that, with reference to the Japanese Government's assurances that it would make indemnification for all losses sustained, the total amount which the U.S. Government is prepared to accept is \$2,214,007.36 which includes no item of punitive damages. (Footnote: Information that the text of the note dated March 21, 1938, was delivered by the Ambassador on March 22, 1938.)	559
Mar. 22 (194)	<i>From the Ambassador in Japan (tel.)</i> Memorandum presented by the U. S. Naval Attaché (text printed) reporting a conference with the senior aide to the Navy Minister who denied the report that the Navy Minister had exonerated the officers connected with the <i>Panay</i> bombing and stated that all responsible persons had been appropriately punished.	560
Apr. 4 (227)	<i>From the Ambassador in Japan (tel.)</i> Foreign Office request, April 1, 1938 (text printed), for an itemized statement of the <i>Panay</i> incident indemnification claim.	560
Apr. 5 (229)	<i>From the Ambassador in Japan (tel.)</i> Report that the Director of the American Bureau has given an oral explanation of the circumstances surrounding the request for an itemized statement and that he has asked for a confirmation of his opinion that the U. S. Government does not	561

Date and number	Subject	Page
1938 Apr. 7 (123)	<i>To the Ambassador in Japan (tel.)</i> Communication for the Foreign Office (text printed) itemizing the indemnification claim and stating that the U. S. Government does not intend to ask for punitive damages.	561
Apr. 20 (257)	<i>From the Ambassador in Japan (tel.)</i> Information that an Embassy press release, April 19, 1938, making an announcement concerning the proposed America Japan Trust has been favorably received and that the Foreign Office has issued a statement thoroughly approving the trust (text printed). Statement that the Embassy press release included the information that contributions to the trust fund were not related to the payment officially undertaken by the Japanese Government.	562
Apr. 22 (264)	<i>From the Ambassador in Japan (tel.)</i> Report that the <i>Panay</i> check for \$2,214,007.36, payable to the Secretary of State, has just been received.	563

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1938 Jan. 7 (7)	<i>To the Ambassador in China (tel.)</i> Instructions that, in replying to requests from Japanese or Chinese authorities for information in regard to the location of American nationals, property, etc., it is highly important that it be specified that the U.S. Government's reservation of rights will in no way be altered by its having given or not having given such information.	564
Jan. 10 (16)	<i>From the Ambassador in Japan (tel.)</i> Telegram to the Consul General at Shanghai, January 10, 1938 (text printed), informing him that informal representations have been made to the Japanese Foreign Minister in regard to the reports of the looting of American property at Soochow and Hangchow.	564
Jan. 17 (866)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Emphatic protest against the flagrant disregard of American rights shown by Japanese troops in recent military operations at Nanking, Hangchow, and other places; statement that the U.S. Government finds it impossible to reconcile such actions with assurances given in the Foreign Minister's <i>Panay</i> note of December 24, 1937; request that the Japanese Government reinforce the instructions already issued in such a way as to prevent a repetition of the outrages.	565
Jan. 17 (34)	<i>From the Ambassador in Japan (tel.)</i> Supplementary observations made to the Foreign Minister when presenting notes, including an intimation of the doubt that the <i>Panay</i> incident could be regarded as liquidated if the Japanese authorities failed to carry out in good faith the assurances given in their note of December 24, 1937.	566

Date and number	Subject	Page
1938 Jan. 18 (27)	<i>From the Third Secretary of Embassy in China (tel.)</i> Report of numerous cases of irregular entry of American property by Japanese soldiers; conclusion, after repeated representations to the Japanese Embassy, that the Embassy is powerless to stop the depredations and that the Japanese Army is unwilling or unable to afford adequate protection to American property.	567
Jan. 19	<i>Memorandum by the Counselor of Embassy in Japan</i> Conversation with the Director of the American Bureau of the Japanese Foreign Office in which the Counselor brought to the Director's attention the contents of telegram No. 27, January 18, 1938, and stated that, since previous instructions from Tokyo had been ineffective, it was expected that the Japanese Government would take drastic action; statement by the Director that the Cabinet has under consideration a plan for ensuring that the forces in China comply with orders from Tokyo.	568
Jan. 25 (135)	<i>From the Consul General at Shanghai (tel.)</i> Report on the behavior of Japanese troops in the vicinity of Shanghai and in Soochow and Hangchow; evidence that some of the looting was for the benefit of the Japanese Army and with the knowledge and consent of the officers.	569
Jan. 28	<i>Press Release Issued by the Department of State</i> Statement of events at Nanking leading up to the slapping of the Third Secretary of the American Embassy by a Japanese soldier; the Third Secretary's report (text printed) of the affair and subsequent apology tendered him on behalf of the commander of the Japanese forces.	570
Jan. 31	<i>Press Release Issued by the Department of State</i> Information that representations have been made by the Ambassador in Japan in regard to the slapping of the Third Secretary of Embassy at Nanking; that the Japanese Government has offered an apology (text printed) including assurances that those concerned will be appropriately punished; and that the Third Secretary has reported that he has been informed that the commanding officer and 20 men concerned have been court-martialed.	574
Feb. 2 (81)	<i>From the Counselor of Embassy in China (tel.)</i> Request for instructions with regard to a communication from the Japanese Embassy, January 31 (text printed), requesting that proper marks be placed on all establishments of third powers within a specified area and that information concerning the location of these establishments be furnished to the Japanese Embassy. Belief that the consulates would find it impossible to communicate with many places within the indicated area.	576
Feb. 4	<i>Memorandum by the Ambassador in Japan</i> * Conversation with the Foreign Minister in which the Ambassador spoke of the steadily mounting evidence of Japanese depredations and asked for a precise statement to convey to the U.S. Government; and the Foreign Minister replied that the strictest possible orders had been issued, that an investigation was being conducted at Nanking, and that in the light	577

Date and number	Subject	Page
1938 Feb. 4 (872)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Specific cases of disregard shown by Japanese forces in China for U.S. property; evidence that these incidents occurred with the knowledge of, and some at the direction of, the Japanese officials; statement that the U.S. Government expects assurances as to specific measures to be taken and full indemnification for all losses and damages.</p>	578
Feb. 4 (53)	<p><i>To the Ambassador in China (tel.)</i></p> <p>Instructions for sending a preliminary reply to the Japanese Embassy giving such information as is available in regard to the location of U.S. establishments in the indicated area and informing them that an effort is being made to secure more detailed information; also to include in any such communication a safeguarding statement in the sense of the Department's telegram No. 7, January 7, 1938.</p>	579
Feb. 12 (17, American I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Explanations in regard to the events against which the Ambassador protested in his note No. 866, January 17, 1938, and statement of the specific steps taken to prevent the recurrence of such events.</p>	580
Feb. 15	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau in which the Director conveyed a message from the Foreign Office stating that the Military Attaché at Nanking had been directed to express regrets for the entry of the U.S. Embassy by Japanese troops and that the Government is prepared to express regrets for desecration of the American flag "if such desecration shall have been established."</p>	583
Feb. 15 (6, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Request that the property of U.S. nationals in specified sections of China be marked as indicated, that the location of such property be communicated to the Japanese authorities, and that certain other protective measures be adopted by U.S. nationals.</p>	583
Feb. 16	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau in which the Counselor informed him that the occupation and looting of the University of Shanghai could not be reconciled with the repeated official assurances that U.S. property would be respected.</p>	585
Feb. 17 (7, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Assertion that the Japanese Government cannot assume responsibility for damage done to property of nationals of third countries where Chinese have used areas adjoining such property for military purposes. Request that the Chinese be urged to move objects of a military nature from the vicinity of property owned by U.S. nationals.</p>	585

Date and number	Subject	Page
1938 Feb. 21 (880)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Statement that the failure on the part of U.S. officials or nationals to comply with requests of Japanese forces affords no excuse for injury which has occurred or may occur to U.S. nationals or property by Japanese armed forces and any such injury is considered by the U.S. Government as the responsibility of the Japanese Government.</p>	586
Mar. 26	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>List of American mission property still occupied by Japanese troops. Request that prompt action be taken to cause the evacuation of American property and to direct that American owners or representatives be permitted to occupy or to inspect their properties.</p>	588
Apr. 2 (41, American I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Statement that Japanese officials on the spot are investigating the cases referred to in the Ambassador's note No. 872, February 4, 1938, and that the Japanese Government is prepared to pay appropriate indemnification where, as a result of such investigations, evidence of injury by Japanese forces is obtained.</p>	589
May 16 (925)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request that the Japanese Government cause an investigation to be made of the reported bombing of the American mission at Hsuehowfu, May 10 and 11, 1938, and that the Embassy be informed of the results as soon as possible.</p>	590
May 30 (942)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Reference to the damage to American mission property at Nantungchow on August 17, 1937, and the occasions on which it has been brought to the attention of the Foreign Office; hope that assurances will be given that the matter will be settled promptly.</p>	590
May 30 (943)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Reports from the American Consul at Shanghai (texts printed) of two instances when Japanese naval forces disregarded the rights and immunities of U.S. vessels; expectation that instructions will be issued to prevent further interference with U.S. vessels.</p>	591
May 31 (946)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Information that a message has been received from Haichow (text printed) reporting the bombing of American mission property there; request that the Japanese Government cause an investigation to be made and that the Embassy be informed of the results at the earliest possible moment.</p>	593

**BOMBINGS OF CIVILIANS BY THE JAPANESE AND OTHER ACTS ENDANGERING
THE LIFE AND WELFARE OF AMERICAN CITIZENS IN CHINA—Continued**

Date and number	Subject	Page
1938 May 31	<i>Memorandum by the Ambassador in Japan</i> Interview with the Vice Minister for Foreign Affairs in which the Ambassador delivered various notes dealing with injuries by Japanese forces to U.S. interests in China and expressed the hope that the new Foreign Minister's assurances that he would guarantee the protection of American interests in China would bear fruit promptly.	594
June 3	<i>Statement by the Acting Secretary of State</i> Reiteration of this nation's emphatic reprobation of the general bombing of extensive areas wherein reside large populations engaged in peaceful pursuits, in view of the recent aerial bombings in China and Spain which have resulted in the deaths of many hundreds of the civilian population.	595
June 9 (368)	<i>From the Ambassador in Japan (tel.)</i> Report of a conversation with the Vice Minister for Foreign Affairs during which the Ambassador brought up informally the question of the bombing of civilian populations in China and was told that the Foreign Minister was negotiating with the military authorities in connection with this problem.	596
June 10 (955)	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Report that Japanese troops have occupied U.S. mission property at Soochow in contradiction to the Japanese Government's repeated assurances; request that urgent measures be taken to cause the evacuation of the property; and reservation of right to claim compensation for all losses.	597
June 11 (812)	<i>From the Consul General at Shanghai (tel.)</i> Letter for the Ambassador from the Japanese Minister at Large (text printed) requesting that on and after June 11, 1938, vessels of third powers not enter the area from Wuhu to Hukow on the Yangtze River so long as the commander in chief of the Japanese Fleet in China Sea finds it strategically inconvenient for them to enter and that those above Hukow sail up above Hankow as hostilities spread in that direction.	597
June 11 (813)	<i>From the Consul General at Shanghai (tel.)</i> Letter for the Ambassador from the Japanese Minister (text printed) expressing the hope that the powers concerned will find a new method to make their vessels more distinguishable from the air.	598
June 11 (822)	<i>From the Consul General at Shanghai (tel.)</i> From Tokyo: Note presented to the Foreign Minister (text printed) stating that there are a number of Americans in Hankow and a number of U.S. and foreign vessels in the vicinity and that the U.S. Government expects that they will be protected in accordance with the Japanese Government's assurances. Information that the British Ambassador will take similar action and that the French Ambassador has asked for instructions.	599

Date and number	Subject	Page
1938 June 12 (286)	<p><i>From the Ambassador in China (tel.)</i></p> <p>Communication from the commander in chief of the Asiatic Fleet (text printed) stating that he intends to visit Nanking and Wuhu about June 24 or 25; that the future presence of U. S. vessels in the Wuhu-Hukow area will depend upon whether U.S. nationals in that area need assistance; that the Japanese and Chinese authorities will be notified of the movements of U. S. men-of-war; that the Japanese Ambassador's warning does not relieve that nation of its responsibility; and that the present markings of U.S. vessels should be apparent at altitudes of several thousand feet.</p>	600
June 13 (0012)	<p><i>From the Commander in Chief of the United States Asiatic Fleet to the Commander of the Yangtze Patrol (tel.)</i></p> <p>Explanation that it is not intended that U. S. ships shall remain within the area of active military engagements; instructions that, after full opportunity has been given for the evacuation of nationals, notice of the probable date of withdrawal of gunboats from a specific area should be given.</p>	600
June 14	<p><i>From the Counselor of the American Embassy in Japan to the Director of the American Bureau of the Japanese Ministry for Foreign Affairs</i></p> <p>Letter from the American Consul General at Shanghai to the Japanese Minister at Large in China (text printed) setting forth the attitude of the commander in chief of the U. S. Asiatic Fleet concerning the requests of the Minister at Large in regard to U.S. vessels on the Yangtze.</p>	601
June 18 (867)	<p><i>From the Consul General at Shanghai (tel.)</i></p> <p>Information that Rear Admiral Nomura has issued a statement attempting to defend the bombing of civilian populations.</p>	601
June 20 (18 Go, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Measures recommended for the protection of U.S. nationals and property in a certain area of active military operations in China.</p>	602
June 27 (972)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Reiteration of U.S. position that, although U.S. nationals have been and are being advised to take the recommended precautionary measures, the obligation to avoid injuring U.S. lives and property rests upon the Japanese authorities irrespective of whether the U.S. nationals do or do not take such measures.</p>	603
June 28 (975)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Formal protest against the bombing on June 15, 1938, by Japanese airplanes of a U.S. mission at Pingtu; request that an investigation be made and that instructions be issued which will prevent the recurrence of such acts.</p>	604
July 4	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador made forceful and emphatic representations on many</p>	605

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38 ted	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Rough notes left with the Foreign Minister as a guide to the oral representation made in the conversation on July 4, 1938.	611
16 26)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Emphatic representations in regard to the repeated bombing attacks on U.S. mission properties at Wuchang, the location of which had been marked on maps delivered to the Japanese authorities.	619
26	<i>Press Release Issued by the Department of State</i> Note presented to the Japanese Foreign Office by the U.S. Ambassador in Japan, upon instruction of the Secretary of State (text printed) protesting against the attack on a commercial plane of the China National Aviation Corporation (in which the Pan American Airways has a large interest) endangering the life of the U.S. pilot and killing several noncombatant passengers.	619
. 3 1, a I)	<i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i> Request that certain measures be carried out and certain conditions be met to insure the safety of the rights and interests in Hankow of third countries, in view of the attack soon to be made on Hankow by Japanese forces.	620
. 12 38)	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Statement setting forth views of the U. S. Government concerning rights and interests of third countries in regard to military operations in and against the definitely arranged specified area of Hankow.	622
13 64)	<i>From the Ambassador in Japan (tel.)</i> Note from the Foreign Minister, October 12, 1938 (text printed) referring to the Foreign Minister's note of June 20, 1938, and urgently requesting that the suggested precautionary measures be taken since military operations are actually being undertaken in South China. Information that a similar note has been received by the British Embassy.	623
14 Asia)	<i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i> Declaration that if the precautionary measures set forth in the Ministry's note of September 3, 1938, are not taken, the Japanese Government cannot assume responsibility for damages to rights and interests of third powers.	624
16 71)	<i>From the Ambassador in Japan (tel.)</i> Note to the Foreign Minister (text printed) restating the position of the U. S. Government in regard to the obligation of the Japanese authorities as set forth in the Embassy's note No. 972, June 27, 1938.	625

Date and number	Subject	Page
1938 Oct. 27	<p><i>From the American Ambassador in Japan to the Japanese Vice Minister for Foreign Affairs</i></p> <p>Information that a report has been received that the Japanese naval authorities at Shanghai have requested that third power vessels off Hankow be moved to other anchorage since it will be difficult to give assurance that Chinese troops close to these vessels will not be attacked. Statement that the U. S. Government takes the strongest possible exception to this position.</p>	626
Oct. 31	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Vice Minister for Foreign Affairs in which the Ambassador made emphatic oral representations in regard to the Nyhus case and supported them by a vigorous note addressed to the Foreign Minister.</p>	627
Oct. 31 (1105)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Emphatic protest against the bombing of U.S. mission property in Tungpeh in which an American national, Phoebe Nyhus, was killed; urgent request that an investigation be made, the responsibility fixed, and steps taken to ensure that similar incidents do not occur.</p>	627
Nov. 7 (41 Go, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs</i></p> <p>Notice of the extension of hostilities west into the Provinces of Shensi, Hupeh, and Hunan; desiderata for the safeguarding of lives and property of nationals of third countries; and urgent request that the United States take prompt and appropriate measures in the premises.</p>	628
Nov. 11	<p><i>From the Japanese Vice Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Endorsement of the action of the Japanese military authorities in requesting the removal of vessels of third powers from the Hankow area during the Japanese attack; statement, however, that no unforeseen incidents involving U. S. vessels occurred.</p>	629
Dec. 22 (1157)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>List of U. S. notes to the Japanese Government in regard to the bombing of U. S. mission property which have not been answered; desire of the U. S. Government to be informed whether it may expect an expression of regret and indemnification for U. S. nationals killed and injured in the Tungpeh bombing and when it may expect replies to the U. S. notes.</p>	630
Dec. 26	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Foreign Minister anticipated note No. 1157, December 22, 1938, and expressed regret for the Nyhus incident, confirming his statement with a written note; and in which the Ambassador accepted the expression of regret but presented note No. 1157 with the request that replies to the notes mentioned be expedited.</p>	631

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938 . 26 17, ner- n I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Expression of regret for the Nyhus incident at Tungpeh; statement that since Tungpeh is outside the territory occupied by Japanese forces, it is impossible to carry out a complete investigation; expectation that the incident will be satisfactorily settled locally in the near future.</p>	632
. 28 18, ner- n I)	<p><i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i></p> <p>Reply to six of the U.S. notes in regard to bombing of U.S. property and nationals; addendum (text printed) setting forth the results of investigations of various other incidents.</p>	633
. 30 19, ner- n I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Information as to the U.S. notes to which the Japanese notes of December 26, 1938, and December 28, 1938, were intended as replies.</p>	640

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939 r. 8	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Hope that steps will be taken to alleviate the restrictions placed upon American personal and business interests in Tientsin by the Japanese authorities and to prevent the imposition of further restrictions such as those contemplated to be made effective March 10, 1939.</p>	642
r. 30	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador presented a note in regard to the continued bombing of U.S. property in China and informally told him that these continued bombings were leading to a growing conviction in the United States that they are intentional and are part of a campaign to drive foreign interests out of China.</p>	642
r. 30 (230)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Formal and emphatic protest against the continued disregard by the Japanese military forces of U.S. lives and property in China, with special reference to specific cases.</p>	643
y 11	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister during which the Ambassador made emphatic oral representations (text printed) against the recent indiscriminate bombings by Japanese forces in China, the representations being based primarily on humanitarian grounds and also on the ground of the risks to American lives and property.</p>	646

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1939 May 19 (238)	<i>From the Chargé in Japan (tel.)</i> Communication from the Ministry for Foreign Affairs, May 17, 1939 (text printed), explaining the steps taken by the Army and Navy to protect the interests of third powers in China and stating that a solatium has been forwarded to the U. S. national wounded in one incident and that an attempt is being made to arrange a solatium for the Nyhus family.	649
May 22 (241)	<i>From the Chargé in Japan (tel.)</i> Note presented to the Foreign Office (text printed) calling attention to the recent recrudescence of Japanese bombing of U. S. mission property at Tangho and Tungpeh and pointing out that the locations of two of the properties were unmistakably known to the Japanese military in view of representations already made in regard to previous bombing of the same properties.	650
June 19	<i>Press Release Issued by the Department of State</i> The Secretary's statement of the U. S. Government's concern with the developments in Tientsin in their broader aspects and in connection with other events in other parts of China.	652
June 22 (290)	<i>From the Chargé in Japan (tel.)</i> Information that during a conversation with the Director of the American Bureau the Chargé stated that the Japanese would be making a mistake if they assumed that if U.S. nationals in Tientsin were not mistreated, the American public would not be aroused by reports of indignities inflicted on British nationals.	652
June 24 (173)	<i>To the Chargé in Japan (tel.)</i> Approval of action reported in telegram No. 290, June 22, 1939.	652
July 6 (183)	<i>To the Ambassador in Japan (tel.)</i> Conversation with the Counselor of the Japanese Embassy who called to bring the report of the Japanese investigations which concluded that nothing further could be done by the Japanese air force to effect their desire to avoid the bombing of U. S. and other foreign property and recommended an isolation distance of one kilometer between U. S. and Chinese properties.	653
July 7 (429)	<i>From the Ambassador in China (tel.)</i> Report that Chungking has had another air raid, that the business section appeared to be the main target, that a British gunboat narrowly escaped a direct hit, and that a bomb fell within 150 feet of the quarters of the Counselor of the American Embassy.	654
July 7 (186)	<i>To the Ambassador in Japan (tel.)</i> Instruction to express to the Foreign Minister the deep concern of the U. S. Government for the safety of the U. S. Ambassador and his staff at Chungking and for the safety of U. S. nationals and property. Request that the Consul General at Shanghai ask his Japanese colleague to take appropriate action vis-à-vis the Japanese military command. (Repeated to Peking, Chungking, and Shanghai)	654

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39 8 6)	<p><i>From the Consul General at Shanghai (tel.)</i> Report that action has been taken as requested in the Department's telegram No. 186, July 7, 1939, for Tokyo, and that the Japanese Consul General was also informed that five bombs struck within 200 yards of the U.S.S. <i>Tutuila</i> in the recent air raids on Chungking. (Repeated to Tokyo, Chungking, and Peiping.)</p>	655
10 0)	<p><i>From the Chargé in Japan (tel.)</i> Information that representations have been made to the Foreign Minister with regard to the recent bombings at Chungking; and that the Foreign Minister said that he could not promise that the bombing of Chungking would cease as air attack was an important and effective phase of the military operation, but that he had already communicated with the Japanese Navy Department in regard to the bombings. (Repeated to Shanghai for relay to Chungking and Peiping.)</p>	655
10	<p><i>Memorandum by the Secretary of State</i> Conversation with the Japanese Ambassador in regard to Japanese policy, during which the Secretary read and presented to the Ambassador a written statement in regard to the bombing of Chungking (text printed) protesting against a continuation of such indiscriminate bombing and stating that the President would like an immediate statement from the Japanese Government, without making the matter one of a formal exchange of notes.</p>	656
10 0)	<p><i>To the Chargé in Japan (tel.)</i> Information that a conversation has been held with the Japanese Ambassador in regard to the Chungking bombings and that the Ambassador has been informed that the President desires an immediate statement from the Japanese Government.</p>	660
10	<p><i>Press Release Issued by the Department of State</i> Announcement that U.S. diplomatic and consular officials have made appropriate representations to the Japanese authorities against the indiscriminate bombings of Chungking.</p>	660
13	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i> Statement by the Counselor of the Japanese Embassy that the Japanese Foreign Office had gotten in touch with the Japanese Navy Department in regard to the Chungking bombings even before representations were made by the U.S. Chargé in Japan on July 10, 1939.</p>	660
13 8)	<p><i>From the Ambassador in China (tel.)</i> Reference to the Japanese Foreign Minister's statement that the air attacks on Chungking are an important and effective phase of the military operations; statement that Chungking is unarmed in any sense that might be construed as offensive and that the raids are carried out indiscriminately with the deliberate intention of terrorizing the unarmed population.</p>	661
15 2)	<p><i>To the Chargé in Japan (tel.)</i> Instructions to read to the Japanese Foreign Minister the pertinent portions of Chungking's No. 438, July 13, 1939, which Chungking has been instructed to repeat to Tokyo.</p>	662

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1939 July 17 (90, Ameri- can I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Chargé in Japan</i></p> <p>Reply to the U.S. representations with regard to the bombing of U.S. mission property at Tangho and Tungpeh; addendum (text printed) setting forth facts according to the investigations of Japanese forces who have recently occupied the two places.</p>	662
July 18 (340)	<p><i>From the Chargé in Japan (tel.)</i></p> <p>Information that the Director of the American Bureau has stated that the Chungking bombings are being investigated and that the Japanese Ambassador at Washington will shortly be instructed to make a statement in response to the Secretary's representations of July 10, 1939.</p>	665
July 20	<p><i>Memorandum by the Secretary of State</i></p> <p>Conversation with the Japanese Ambassador in which the Ambassador presented two statements concerning the Chungking bombings, repeating the same line of suggestions and comment to the effect that Japanese officials are always warned to be cautious; in reply to which the Secretary indicated his disappointment and stated that the sole question related to whether the Japanese Government would use sufficient precautions to put an end to such dangerous bombings.</p>	665
July 20	<p><i>From the Japanese Ambassador</i></p> <p>The Japanese Government's statement in reply to the Secretary's representation on July 10, 1939; and the report on the bombing of Chungking by the commander in chief of the Japanese China Sea Fleet (text printed).</p>	667
Nov. 20	<p><i>Press Release Issued by the Department of State</i></p> <p>Information that difficulties of transit at the Japanese military barriers around the foreign concessions at Tientsin are increasing.</p>	669
Dec. 5 (1426)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Emphatic protest against a third bombing of the U.S. mission property at Tungpeh on August 1, 1939.</p>	670
Dec. 8 (390)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Suggestion that, in view of the fact that all 59 of the Japanese replies recently received disclaim responsibility, the Ambassador informally approach the Foreign Office and, after mentioning publicity currently emanating from Japan concerning the "settlement" and "payment" of U.S. claims, state that additional publicity of this kind may impel the U.S. Government to publish figures and statements which would cover the situation as a whole.</p>	671
Dec. 13 (1428)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Expression of appreciation for the recent large number of replies to U.S. representations; suggestion, however, that a more favorable impression might well be created by concrete evidence of an earnest desire on the part of Japan to afford to the claimants equitable amounts in compensation for damages sustained</p>	672

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39 26 06)	<i>From the Ambassador in Japan (tel.)</i> Informal letter dated December 23, 1939, from the Director of the American Bureau (text printed) explaining that the Japanese notes are intended not merely to communicate the results of investigations but to show Japanese readiness to give renewed consideration if and when further representations are made on the basis of fresh investigations made by the United States.	673

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40 31	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Information that the bombing of the Chinese portion of the Haiphong-Yunnan railway endangers U. S. nationals and commerce; statement that if the bombing continues, the United States will have no choice but to add this to the list of injuries, commercial and otherwise, suffered by it as a result of Japanese action in China.	674
14 (9)	<i>From the Ambassador in Japan (tel.)</i> Statement made by the Foreign Minister in the Budget Committee of the Lower House in regard to the cases pending between the United States and Japan (text printed).	675
1 5, er- n I)	<i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i> Addendum (text printed) based on the report from the Japanese authorities in the area concerning the bombing of the U.S. mission property at Tungpeh on August 1, 1939. Information that \$15,000 has been sent to the Nyhus family as an expression of sympathy.	676
ated c'd r. 6]	<i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i> View that the question of assumption of responsibility by the Japanese Government does not arise in the bombing of the Hanoi-Yunnan Railway in view of the fact that the exclusion of the railway from any claims to neutrality in the event of war between China and any other country was established by the Chinese-French railway construction agreement of 1903.	677
11	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Refusal to admit the relevancy, in the bombing of the Haiphong-Yunnan Railway, of the Japanese reference to the Chinese-French railway construction agreement of 1903 or to admit lack of Japanese responsibility for loss of U.S. life or damage to U.S. property. Full reservations of U.S. rights and rights of U.S. citizens in the matter.	678
c. 23	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Request that further instructions be sent to the Japanese armed forces at Tientsin with a view to eliminating the long-continued and unlawful interference by Japanese forces with	678

Date and number	Subject	Page
1940 May 10 (95, Asia I)	<p><i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i></p> <p>Explanation of various incidents of interference at Tientsin; and statement that the Japanese authorities there are doing all in their power to lessen all inconveniences to nationals of third powers.</p> <p>(Footnote: Information that the barriers were removed June 20, 1940, following the signing of an arrangement relating to local issues between Great Britain and Japan on June 19, 1940.)</p>	680
May 10 (3130)	<p><i>From the Consul at Shanghai</i></p> <p>Detailed summary of the developments in regard to negotiations between U.S. claimants and Japanese authorities for the local settlement of U.S. property losses resulting from the acts of the Japanese forces; statement that as a result of these negotiations, 21 cases have been settled by the payment of "solatia payments" to the U.S. claimants.</p>	682
Undated	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request that arrangements be made to provide for the free passage through the Tientsin barriers of all Americans, and their personal effects, en route to Peitaho or other resorts.</p>	690
June 13	<p><i>Press Release Issued by the Department of State</i></p> <p>Information that Chungking was intensively and indiscriminately bombed on June 12, 1940, and that U. S. mission property was damaged; statement that the United States condemns such practices wherever and whenever they occur.</p>	690
June 14 [Asia I, 8/Go]	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Notice of plan to increase the severity of the attacks on Chungking; advice that the U. S. officials and citizens be evacuated to a safe place until after the bombardment; designation of a safe area; and statement that Japan cannot be responsible if U.S. nationals remain in areas other than those designated.</p>	691
June 14	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister concerning the various representations which have been made in regard to the indiscriminate bombing of Chungking.</p>	691
June 15	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Interview with the Vice Minister for Foreign Affairs in which oral and written representations in regard to the Chungking situation were made, with the request that they be brought immediately to the attention of the Foreign Minister.</p>	692
June 15 (1564)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Reiteration of the position of the U.S. Government with regard to warnings such as that given in the Foreign Minister's note of June 14, 1940; statement that the U. S. Government cannot accept the view that Chungking in general is a legitimate target for air attack, and that it will expect to hold the Japanese Government responsible for any injury or loss</p>	693

Number	Subject	Page
40 18 121, erian I)	<i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i> Statement that the Japanese military forces will not hereafter relax their attack on Chungking and that the Japanese Government cannot accept responsibility for unavoidable damage which may occur.	694
13 30)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Emphatic protest against the destruction of a U.S. mission church at Chungking on August 19, 1940; statement that since the location of the mission property has twice been notified to Japanese officials and since representations have previously been made in regard to eight separate occasions when the property was attacked, it is difficult to avoid the inference that at least some of the attacks have been deliberate.	695
13	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Data in regard to Japanese bombing of U.S. property in China; explanation that the data was taken from the Embassy files for the information of the new Foreign Minister.	696
22 78)	<i>From the Ambassador in Japan (tel.)</i> Conversation on September 21, 1940, with the Foreign Minister who said that it was his firm determination to sweep away as many as possible of the past troubles between Japan and America, and was informed that many of the troubles are current and not past.	697
16 00)	<i>From the Ambassador in Japan (tel.)</i> Message from the Vice Foreign Minister (text printed) stating that he has taken up with the Navy the matter of the damage to the U.S. Consulate at Kunming on October 13, 1940, and that the Navy will see to it that the incident will not be repeated.	698
28 70)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Protest against the bombing of an American firm in Chungking and the endangering of the U.S. Embassy on October 25, 1940; information that 11 bombs fell in the area designated as a safety zone in the Foreign Minister's note, Asia I, 8/Go, June 14, 1940.	699
28	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Hope, in view of the interest expressed by the Foreign Minister, that the menace to U.S. officials and to U.S. nationals and property in China will be obviated through effective orders to the responsible Japanese officials.	699
8 78)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Further information which has come to light since representations were made concerning the attack on a plane of the China National Aviation Corporation on October 29, 1940, which resulted in the death of the U.S. pilot.	700

Date and number	Subject	Page
1940 Nov. 11 (1125)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Suggestion that the Department may wish to consider delaying the proposed publicity regarding the bombings in China in view of the expressed intention of the Foreign Minister to obviate points of friction with the United States; opinion that this represents a belated recognition of the position in which Japan has placed herself vis-à-vis the United States through the conclusion of the tripartite alliance and other recent developments.</p>	702
Nov. 14 (1684)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Further information in regard to the attack, October 29, 1940, on a plane of the China National Aviation Corporation in which the U.S. pilot was killed.</p>	703
Nov. 23	<p><i>Press Release Issued by the Department of State</i></p> <p>Statement that on November 21, 1940, an American Vice Consul engaged in official duties and his companion, another American national, were taken into custody by Japanese soldiers and threatened by rifles; information that appropriate representations have been and are being made.</p>	703
Nov. 26 (1700)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Formal protest against the illegal action by Japanese soldiers in taking into custody an American Vice Consul and his companion who was also an American national.</p>	704
Dec. 18 (193, American I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Explanation of the circumstances of the destruction of a plane of the China National Aviation Corporation and the killing of the U.S. pilot on October 29, 1940.</p>	705

1941

1941 Jan. 27	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Japanese Foreign Minister in which representations were made regarding the marine-gendarme incident of December 30, 1940, in Peiping, to which the Foreign Minister replied that the version of the incident received by the Foreign Office differed from the American version and that he thought it desirable to make a further effort to reach a settlement locally.</p>	707
Jan. 27	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Description of the action involved in the incident between U. S. marines and Japanese gendarmes in Peiping, December 30, 1940; statement that the U.S. Government takes a serious view of the Japanese actions in the matter; and conclusion that, if the attitude of the Japanese military authorities reflects the attitude of the Japanese Government, the U.S. Government will be forced to add this to the list of unsettled cases involving abuse of U.S. nationals, rights, and interests in</p>	707

Date and number	Subject	Page
1941 Feb. 4 (1738)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Representations in regard to the indiscriminate bombing of Kunming on January 29, 1941, which damaged the U.S. Consulate and endangered the lives of the Consul and his family.</p>	710
Apr. 14 (1779)	<p><i>From the American Ambassador in Japan to the Japanese Acting Minister for Foreign Affairs</i></p> <p>Representations concerning the indiscriminate Japanese bombing attack of April 8, 1941, which again endangered American lives and property at Kunming.</p>	710
May 6 (1793)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Information that the U.S. Consulate at Kunming was again damaged during an air raid on that city April 29, 1941; emphasis upon the unfortunate effect of these indiscriminate attacks upon public opinion in America; and statement that the U.S. Government looks to the Japanese Government to take the necessary steps to prevent further endangering of U. S. lives and property.</p>	711
May 7	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Vice Minister for Foreign Affairs</i></p> <p>Reference to five separate notes to the Foreign Office with regard to damage to U.S. property by Japanese bombings of Kunming; statement that at the present juncture an American death or injury might have repercussions of a serious character and that the U.S. Government looks to the Japanese Government to take appropriate measures to prevent such an occurrence.</p>	712
May 17 (1802)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Representations against the continued endangering of American lives and property in China, with especial reference to the damage to the U.S. Consulate and several American residences during the air raid on Kunming May 12, 1941.</p>	713
June 10 (5645)	<p><i>From the Ambassador in Japan</i></p> <p>Note handed to the Foreign Minister, together with a copy of the memorandum of the conversation, June 5, 1941 (texts printed), protesting the bombing of the properties of the Methodist Episcopal Mission at Chungking on June 1, 1941, and report that on June 6, 1941, the Foreign Minister stated that the War Minister had given him assurances that special care would be taken in the future.</p>	713
June 16 (830)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Delivery of a note to the Foreign Minister (text printed) in protest against the recent bombings of Chungking, which, on June 15, 1941, resulted in heavy damage to the U. S. Embassy and the jeopardizing of the lives of the U. S. Ambassador and other nationals and the U.S.S. <i>Tutuila</i>.</p>	715

Date and number	Subject	Page
1941 June 19 (851)	<i>From the Ambassador in Japan (tel.)</i> Note from the Foreign Office June 18, 1941 (text printed), explaining that the dropping of bombs in the vicinity of the U. S. Embassy and the U.S.S. <i>Tutuila</i> on June 15, 1941, was the result of an accident, expressing extreme regret, and suggesting the transfer of the U.S.S. <i>Tutuila</i> to a zone of safety.	717
July 8	<i>Oral Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Reasons why the U.S. Government will not consider moving the <i>Tutuila</i> .	718
July 8 (1845)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Representations in regard to the damage to the U. S. Embassy during an air raid on Chungking June 29, 1941, which is considered the more reprehensible as it followed so closely on the assurances given by the Japanese Government June 18, 1941.	718
July 30 (443)	<i>To the Ambassador in Japan (tel.)</i> Report from attaché at Chungking (text printed) of an apparently deliberate bombing attack on the U. S. Embassy area and the U.S.S. <i>Tutuila</i> which resulted in material damage to the <i>Tutuila</i> . Account of a conversation with the Japanese Ambassador on the subject; and instructions to take the matter up urgently with the Foreign Minister.	719
July 31 (1134)	<i>From the Ambassador in Japan (tel.)</i> Report of a visit from the Acting Vice Minister for Foreign Affairs who called to express the deep regret of the Japanese Government in regard to the damage to the <i>Tutuila</i> .	720
July 31 (1138)	<i>From the Ambassador in Japan (tel.)</i> Conversation with the Foreign Minister who expressed his regrets and insisted that the bombing of the <i>Tutuila</i> was all an accident, in reply to which he was informed that it could not have been an accident and that the U.S. Government must reserve a further expression of its views.	720
July 31 (1141)	<i>From the Ambassador in Japan (tel.)</i> Report that the senior aide to the Navy Minister has called upon the U.S. Naval Attaché and expressed the Navy's regret and its willingness to make full reparations for the damage to the <i>Tutuila</i> .	722
Aug. 1 (451)	<i>To the Ambassador in Japan (tel.)</i> Information that the Japanese Ambassador has called and stated under instruction: (1) that the Japanese Government regrets the endangering of the <i>Tutuila</i> and the U.S. Embassy, (2) that it is certain that the bombing was accidental, (3) that the bombing of the city area of Chungking will be discontinued, and (4) that full indemnification will be made—adding that the Japanese Government requested that (3) be kept secret.	722
Aug. 5 (1173)	<i>From the Ambassador in Japan (tel.)</i> Japanese statement handed to the U. S. Naval Attaché (text printed), setting forth results of investigation of the <i>Tutuila</i> in ident and c n l ding that the incident w s n	723

Date and number	Subject	Page
1941 Aug. 12	<i>To the Japanese Embassy</i> Request, in view of the repeated bombings of the city area of Chungking in the past four days, for an explanation and a definitive indication of the Japanese Government's intentions regarding its pledge of July 31, 1941, to suspend such operations.	723
Aug. 14 (502)	<i>To the Ambassador in Japan (tel.)</i> Account of a conversation with the Japanese Ambassador who stated that the Japanese Government's promise had been to cease bombing the Chungking city area temporarily and not indefinitely.	724
Aug. 14 (1238)	<i>From the Ambassador in Japan (tel.)</i> Report of a conversation between the Counselor of the U.S. Embassy and the Director of the American Bureau in which the Director emphasized the importance of secrecy in regard to the Japanese promise to cease bombing Chungking.	725
Aug. 16 (509)	<i>To the Ambassador in Japan (tel.)</i> Statement that the Japanese promise has been kept in strict confidence and that the Foreign Office may be so informed should occasion arise; instructions to add that the complete disregard of the spirit of the promise is deprecated and deplored.	725
Oct. 11 (650)	<i>To the Ambassador in Japan (tel.)</i> Instructions to address a note to the Foreign Office stating that the Navy Department has advised the State Department that the damages to the U.S.S. <i>Tutuila</i> were in the sum of \$27,045.78.	726

REPRESENTATIONS TO THE JAPANESE GOVERNMENT WITH RESPECT TO THE INTEGRITY OF THE CHINESE MARITIME CUSTOMS AND SALT REVENUE ADMINISTRATION

1937 Sept. 24	<i>Memorandum by the Counselor of Embassy in Japan</i> Conversation with the Director of the American Bureau of the Ministry for Foreign Affairs, in which the American Counselor stated the desire of the U.S. Government to associate itself with the British Government in urging the importance of preserving the integrity of the Chinese Maritime Customs and Salt Revenue Administration.	729
Nov. 28 (827)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Representations against the exclusion of American and other interested foreign governments from discussions at Shanghai between Japanese authorities and Customs employees with regard to proposed changes in the organization of the Chinese Maritime Customs and in the disposition of revenues.	730

Date and number	Subject	Page
1937 Nov. 30	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation with the Counselor of the Japanese Embassy, in which the Counselor stated that his Government could not admit the right of American or other foreign representatives to participate in the making of arrangements concerning the customs at Shanghai, and the Chief of the Division of Far Eastern Affairs expressed the hope that the American Consul General at Shanghai would be given an opportunity to offer suggestions and comment regarding any arrangement under contemplation.</p>	731
Dec. 5	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Expression of gratification for the friendly and frank discussions regarding the Customs now proceeding at Shanghai between the American Consul General and his Japanese colleague; desire for assurances that no arrangement regarding the Customs Administration will be concluded without prior consultation with the American Consul General.</p>	732
Dec. 14	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau of the Ministry for Foreign Affairs, in which the Director expressed regret at the Counselor's information that the attitude of the Japanese Consul General at Shanghai was not one which inspired confidence in the intention of local Japanese authorities to work cooperatively with representatives of other foreign governments toward safeguarding the integrity of the Customs.</p>	732
Dec. 23 (850)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Desire for assurances regarding the safeguarding of revenues of the Customs at Shanghai, continuance of control of the existing tariffs and procedure, and return of harbor craft to the Customs Administration.</p>	733
Dec. 28	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Vice Minister for Foreign Affairs regarding the Chinese Customs, in which the Vice Minister reiterated previous general assurances that American interests would be given full consideration, and the Ambassador observed that the Customs represented one of the American interests envisaged in the <i>Panay</i> note of December 14, 1937, to which the Japanese Government had replied in a manner responsive to U.S. desires.</p>	734
Dec. 28 (853)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Urgent suggestion that the Japanese Government not countenance any action by Japanese military or other authorities to disrupt the Chinese Customs or impair the authority of the present Customs Administration; hope that the assurances requested in note No. 850 of December 23, 1937, may be received.</p>	734
1938 Jan. 6 (2725)	<p><i>From the Ambassador in Japan</i></p> <p>Report of the Embassy's representations since September</p>	735

Date and number	Subject	Page
1938 Jan. 10	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador made informal protest against the disregard of customs requirements for Japanese goods and vessels, and the Foreign Minister implied that the final result of discussions now proceeding would be entirely satisfactory to American interests.</p>	736
Jan. 11 (6)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Instructions, in view of report from Tientsin that kerosene was imported from Japan duty free and placed on the market in December 1937, to emphasize to the Foreign Office the discriminatory character of such importations as well as their damaging effect upon Customs Administration, pointing out that such cases of discrimination are inconsistent with repeated assurances that the Japanese Government will respect U.S. rights and interests.</p>	737
Jan. 17	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Foreign Minister replied to the Ambassador's representations concerning the duty-free kerosene importation by stating that he would take up the matter with the proper authorities.</p>	737
Jan. 17	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Insistence, in view of the taking over of the Consolidated Tax Office in the International Settlement at Shanghai by certain Chinese understood to be nominees of the Japanese military, that the Japanese Government neither take any action nor countenance action by any provisional Chinese regime which fails to take account of the obligation of the Chinese Government to the Export-Import Bank for wheat, flour, and cotton credits.</p>	738
Jan. 31 (874)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Declaration that the action of the provisional regime in Peiping in revising customs rates in North China seriously threatens the integrity of the Customs, and that the U.S. Government holds the Japanese Government responsible for any adverse effects resulting to American rights and interests.</p>	738
Feb. 7	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request that instructions be issued to Japanese authorities at Shanghai to permit resumption of normal Customs control over Japanese vessels and cargo.</p>	739
Feb. 17	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Statement that before examining any plan for settlement of the Chinese Customs problem, the U.S. Government expects to receive Japanese assurances that no action will be taken or countenanced which will disrupt the Customs or jeopardize the servicing of foreign loans and indemnity quotas from Customs revenue.</p>	740

Date and number	Subject	Page
1940 Jan. 25 (12, Asia I)	<i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i> Information that the question of the Swatow Maritime Customs was satisfactorily settled at the end of 1939 between the Japanese military and the Commissioner of Customs.	753
Feb. 6 (1474)	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i> Protest against the levying of taxes on imports and exports by the Japanese-sponsored Swatow Rehabilitation Commission and the continued refusal of Japanese authorities to allow the Chinese Maritime Customs to function at Swatow; request that instructions be issued to Japanese agencies in China to the end that further infringement of the rights and duties of the Customs be stopped.	753

ACTS OF JAPAN IN OCCUPIED CHINA INTERFERING WITH AMERICAN TREATY RIGHTS AND EQUALITY OF COMMERCIAL OPPORTUNITY
1937-1938

1937 Dec. 24 (0024)	<i>From the Commander in Chief of the United States Asiatic Fleet to the Chief of Naval Operations (tel.)</i> Letter from the commander in chief of the Japanese Fleet in China, December 21, 1937 (text printed), setting forth the conditions under which foreign vessels will be convoyed down the Yangtze and stating that the Japanese Navy desires that foreign vessels refrain from navigating the Yangtze except when an understanding is reached with the Navy. Reply dated December 23, 1937, and signed by the U.S., French, Italian, and British naval commanders (text printed) reserving the right to move their men-of-war whenever necessary without notification.	757
Dec. 26 (0026)	<i>From the Commander in Chief of the United States Asiatic Fleet (tel.)</i> Letter to General Matsui, December 24, 1937 (text printed) concerning conditions in Shanghai due to restrictions imposed by the Japanese Army.	758
Dec. 28	<i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i> Reminder that, while claiming freedom for its ships on the Yangtze, the U.S. Government looks to the Japanese authorities to give prior warning in the event of any area on the Yangtze becoming a danger area through steps taken by the Japanese.	760
1938 Jan. 12 (63)	<i>From the Consul General at Shanghai (tel.)</i> Request from the Japanese naval authorities through the Japanese Consul General (text printed) that the vessels of foreign powers refrain from navigating the forced channel in the Yangtze without making prior arrangements with the Japanese Navy.	760

Date and number	Subject	Page
1938 Jan. 15 (45)	<p><i>To the Consul General at Shanghai (tel.)</i></p> <p>Instructions to inform the Japanese Consul General that, while as a matter of courtesy the Japanese and Chinese are being informed so far as practicable of the movements of U. S. vessels, the U. S. Government claims absolute freedom of movement of its ships on the Yangtze.</p>	761
Apr. 4	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request that the Japanese Government take steps to cause the removal of restrictions preventing U. S. missionaries and business men from returning to Nanking, in view of the fact that the area of hostilities has passed far beyond that city.</p>	761
Apr. 12	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in regard to currency exchange control in North China; Foreign Minister's assurance that Japan will continue to support the principle of equal opportunity and the open door in China.</p>	762
Apr. 12	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Statement that the U. S. Government would welcome assurances from the Japanese Government that it will not support or countenance financial or other measures in the areas occupied by Japan which discriminate against U. S. interests; full reservation of U. S. rights and interests in occupied areas of China.</p>	763
May 17 (315)	<p><i>From the Ambassador in Japan (tel.)</i></p> <p>Conversation with the Foreign Minister in which strong representations were made regarding the hardships caused by the refusal of Japanese authorities to grant passes to Americans to enter peaceful areas where Japanese civilians are freely permitted to go.</p>	763
May 31 (945)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Expectation of the U. S. Government that the Japanese Government will take steps to cause the return to their owners of the premises of the University of Shanghai and other U. S. property occupied by Japanese forces and that it will issue instructions to effect the removal of the obstacles to the return of U. S. nationals to certain areas.</p>	764
June 1 (746)	<p><i>From the Consul General at Shanghai (tel.)</i></p> <p>From Tokyo, May 31, 1938: Conversation with the new Foreign Minister who stated that he would guarantee the protection of U. S. interests in China.</p>	766
June 2 (762)	<p><i>From the Consul General at Shanghai (tel.)</i></p> <p>Conversation with the Japanese Minister at Large in China in which the Consul General expressed the hope that the Japanese authorities in Shanghai would cooperate toward removing the obstacles in the way of U. S. business and missionary enterprises.</p>	767

Date and number	Subject	Page
1938 June 2	<p><i>Press Release Issued by the Department of State</i></p> <p>Information that the Japanese authorities have returned certain U.S. mission property in the Chapei district of Shanghai; that they have agreed to the return of U.S. missionaries to Nanking; and that, in regard to the University of Shanghai, the Japanese Government is sending a committee to the Japanese-controlled area in Central China to investigate the situation there.</p>	767
June 3	<p><i>Press Release Issued by the Department of State</i></p> <p>Expression of gratification in regard to the steps taken by the Japanese Government and confidence that it will take appropriate action with regard to the remaining questions.</p>	768
June 27	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau in regard to a statement issued on June 25, 1938, by the spokesman of the Japanese Embassy at Shanghai, affirming that foreign nationals in Japanese-occupied areas in China do not enjoy extraterritorial rights.</p>	769
June 30	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Conversation with a representative of the American Bureau of the Foreign Office who explained that a mistake had been made and that what the spokesman of the Japanese Embassy at Shanghai had said was that foreigners enjoying extraterritorial rights could not invoke them to refuse search by Japanese soldiers in Japanese-occupied areas.</p>	770
June 30 (399)	<p><i>From the First Secretary of Embassy in China (tel.)</i></p> <p>Telegrams from five different U.S. consular offices in China (texts printed) reporting on the commercial difficulties caused by Japanese interference.</p>	771
July 6 (66, American I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Decision of the Imperial Government that the Japanese forces will withdraw from the University of Shanghai by July 5, 1938, but that the school cannot be allowed to open until such time as it will not hinder military operations; exposition of the difficulties involved in allowing foreigners to return to apparently peaceful areas.</p>	774
July 16	<p><i>Memorandum by the First Secretary of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau in regard to a statement (text printed) which the Japanese Government desired published with the Japanese note of July 6, 1938.</p>	776
July 29 (1013)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Opinion that the evacuation of the property of the University of Shanghai by Japanese troops without returning the property to its rightful owners does not lessen the responsibility of the Japanese Government for damages, etc., and that this action leads to the interpretation that the Japanese authorities hope the property will become useless to the owners, thereby making its purchase possible. Request that appropriate steps be taken to effect prompt return of the property to the full control</p>	777

Date and number	Subject	Page
1938 July 30	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador made full representations regarding the University of Shanghai, and the Foreign Minister replied with an explanation of Japanese reasons for restricting the occupation of the University and a denial of any intention to purchase the property.</p>	778
July 30	<p><i>Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Representations regarding the failure of the Japanese authorities to return the University of Shanghai to its owners.</p>	779
Oct. 3	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Prime Minister, at present also Foreign Minister, for the purpose of presenting the U. S. desiderata; the Prime Minister's assurances that any delay in meeting all U. S. desiderata would be only temporary and stated that the new "China Organ" was being formed to deal with such questions.</p>	781
Oct 3	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Prime Minister and Minister for Foreign Affairs</i></p> <p>Discussion of the restrictions and violations of U.S. rights in China; presentation of measures which the President of the United States requests that the Japanese Government take to implement the repeated assurances given to the U.S. Government.</p>	782
Oct. 6 (1076)	<p><i>From the American Ambassador in Japan to the Japanese Prime Minister and Minister for Foreign Affairs</i></p> <p>Statement of various instances in which Japanese authorities are subjecting U.S. citizens in China to discriminatory treatment and violating the rights and interests of the United States; apprehension lest in other occupied areas of China there develop a situation similar in its adverse effect upon competitive position of U.S. business to that which now exists in Manchuria. Request that Japan implement its assurances by taking certain measures.</p>	785
Oct. 26	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the new Vice Minister for Foreign Affairs in which the Vice Minister's attention was called to the several hundred U.S. notes regarding Japan's depredations against U.S. property already on file in the Foreign Office which would give the Vice Minister the necessary background for such representations as the Ambassador might be called upon to make in the future.</p>	790
Nov. 2 (373)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Instructions to approach the Foreign Minister and take up in a vigorous manner the entire question of freedom of navigation on the lower Yangtze River and to press for a favorable reply setting an early date subsequent to which Japan will not impede free navigation.</p>	791

Date and number	Subject	Page
1938 Nov. 7	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Initial interview with the Foreign Minister of a negative and unsatisfactory character in which the Ambassador inquired whether the Foreign Minister would renew the assurances of his predecessor and whether he would interpret a certain passage concerning Japanese policy contained in the Prime Minister's speech of November 3, 1938; the Foreign Minister's counsel of patience, especially with respect to pressing for a reply to the U.S. note of October 6, 1938.</p>	792
Nov. 7 (1111)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Reiteration of the U.S. Government's request that the Japanese Government implement its repeated assurances with regard to U.S. navigation rights on the Yangtze by discontinuing the restrictions on U.S. trade thereon between Shanghai and Hankow.</p>	794
Nov. 14 (101, Asia I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Reasons why the Japanese Government does not consider that the time has yet been reached when recognition of freedom of navigation on the Yangtze can be immediately given; hope that the Ambassador will appreciate the fact that there is no intention of wilfully hindering U. S. commerce.</p>	795
Nov. 18 (102, American I)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Views of the Japanese Government with regard to the instances of violations of U.S. rights in China set forth in the Ambassador's note No. 1076, October 6, 1938; and statement that Japan does not intend to object to the participation of third powers in the reconstruction of East Asia when such participation is undertaken with an understanding of the purport of Japan's intentions in East Asia.</p>	797
Nov. 19	<p><i>Memorandum by the Counselor of Embassy in Japan</i></p> <p>Informal interview with the Foreign Minister who stated his reasons for declining to repeat the assurances of his predecessors regarding the principle of the open door, which assurances he stated had not been intended to be unconditional since the time had passed when Japan could give an unqualified undertaking to respect the open door in China.</p>	801
Nov. 21	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador spoke concerning the principles of policy and the broad objectives of the United States in the Far East; and in which the Foreign Minister denied the allegation that Americans would be expected to deal only through Japan's middlemen and stated that, while Japan intended to assure for herself certain raw materials, there would be a large field for U. S. trade which would be welcomed.</p>	806
Nov. 21	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Representations with regard to the open door in China and outline of the obvious steps which the Japanese Government should take to prevent the steady deterioration of Japanese-American relations.</p>	808

Date and number	Subject	Page
1938 Dec. 1	<p><i>Memorandum by the Assistant Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation between the Assistant Secretary of State and a representative of the Japanese Financial Commission abroad who made inquiries as to the prospects of concluding a trade agreement between Japan and the United States; to which the Assistant Secretary replied that such an agreement was not politically feasible in view of Japanese policy in China and pointed out that the Japanese reply to the U. S. note of October 6, 1938, was unsatisfactory and not responsive to U.S. grievances.</p>	81
Dec. 8	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister who, in presenting his oral comments in an unofficial paper, stated "off the record" that an improvement in the situation could hardly be expected until Chiang Kai-shek had been eliminated, and did not hesitate to talk, although in general terms, about what the United States would be permitted to do or not to do in China.</p>	81
Dec. 8	<p><i>Memorandum Handed by the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Assurances that, while foreigners will not be allowed to establish businesses competitive with certain industries which might be granted monopolistic privileges as measures of protection, they may participate in those industries within the scope of the established plans; also that in the field of trade there will not be established, as a rule, any special discrimination against third countries either in customs duty or other systems of trade barrier.</p>	814
Dec. 19	<p><i>Statement by the Japanese Minister for Foreign Affairs</i></p> <p>Explanation of the necessity for a close cooperation between Japan, "Manchoukuo," and China, politically, as a measure of self-defense against communism, and economically, as a measure of self-preservation in the presence of a world-wide tendency to erect high customs barriers and to employ economic measures for political ends.</p>	816
Dec. 26	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador explained that the U. S. Government and press found it difficult to appraise the recent assurances of the Japanese Government in view of the number of qualifying phrases with which they were circumscribed.</p>	818
Dec. 30 (1153)	<p><i>From the Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Statement that the Japanese note of November 18, 1938, appears to affirm that it is Japan's intention to make the observance of the principle of equality of opportunity in China conditional upon an understanding by other Governments of a "new order" in the Far East as fostered by Japanese authorities; reiteration of the U. S. position that such principles are not subject to nullification by a unilateral affirmation; reservation of all U. S. rights.</p>	820

Date and number	Subject	Page
1939 Jan. 12	<p><i>Memorandum by the Secretary of State</i></p> <p>Conversation with the Japanese Ambassador who congratulated the Secretary on the accomplishments at Lima and was informed that the reaffirmation of the doctrine of equality of commercial opportunity was an outstanding feature of the broad basic program adopted at Lima and that the United States asserts and will continue to assert this principle; the Ambassador's intimation of a desire to enter into an understanding about protection of all U.S. rights and interests.</p>	827
Jan. 27	<p><i>Extract From an Address Delivered by the Under Secretary of State on "Some Aspects of Our Foreign Relations"</i></p> <p>Discussion of relations with countries in the Far East.</p>	828
Feb. 17	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which he stated, in reply to the Ambassador's oral statement (text printed) inquiring as to Japanese intentions in connection with the occupation of Hainan Island, that Japan had no territorial ambitions in China and that the occupation would not go beyond military necessity.</p>	830
Mar. 11 (1207)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Hope that the Japanese authorities will not countenance the new drastic trade restrictions imposed by the Japanese-sponsored regime in North China and that they will, on the contrary, remove existing restrictions.</p>	831
Apr. 13 (34, Com- mercial III)	<p><i>From the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Statement that the Japanese Government believes that the new trade measures in North China have been enacted and enforced with impartiality and that Japan is determined to support them without stint.</p>	833
Apr. 18 (193)	<p><i>From the Counselor of Embassy in China (tel.)</i></p> <p>Information that the new North China Transportation Co. has been formed and will take over the work of the South Manchuria Railway in administration of railways, etc., in North China and Meng Chiang, thus consolidating all transportation facilities in those regions under one management, primarily Japanese.</p>	834
Apr. 20	<p><i>Memorandum by the Under Secretary of State</i></p> <p>Conversation with the Japanese Ambassador during which the Secretary read to the Ambassador a statement (text printed) relating certain facts concerning the interference with the legitimate movements of U.S. citizens in China on the part of Japanese military and other officials.</p>	834
Undated [Rec'd May 3]	<p><i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i></p> <p>Information that an adjustment of present conditions in the International Settlement at Shanghai is believed necessary in order to render possible active Japanese cooperation in its administration and to accomplish a revision of the administra-</p>	838

Number	Subject	Page
39 13	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister who stated, in reply to the Ambassador's oral representations regarding press report of possible Japanese occupation of the International Settlement at Shanghai (text printed), that Japan had no intention of occupying the Settlement.</p>	841
17	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Exposition of views regarding matters contained in Japanese <i>aide-memoire</i> of May 3, 1939; opinion that Settlement authorities are prepared to continue their best efforts toward meeting any reasonable requests for further adjustments.</p>	842
17	<p><i>Oral Statement by the Counselor of Embassy in Japan, Accompanying "Aide-memoire" of May 17, 1939</i></p> <p>Advice that the Chinese courts in the Settlement do not try anti-Japanese terrorists and that in other criminal cases where Japanese have been complainants the decisions have been rendered without prejudice; information that the text of the American <i>aide-memoire</i> will be released to the press immediately.</p>	844
17	<p><i>Press Release Issued by the Department of State</i></p> <p>Reasons for the landing of a small U.S. naval detachment in the International Settlement at Amoy.</p>	845
ated	<p><i>Extract From the Report of the Embassy in Japan for May 1939</i></p> <p>Report that on May 24, 1939, a Foreign Office spokesman stated that Chinese sovereignty still extended over foreign settlements in China and that, as it was Japan's aim in China to control Chinese sovereignty, this sovereignty might also be controlled in the settlements.</p>	845
2 49)	<p><i>To the Chargé in Japan (tel.)</i></p> <p>Tentative outline for an approach to the Foreign Office (text printed) setting forth the U.S. position that neither the Chinese nor any other Government has any right unilaterally to interfere with the administration of the International Settlements.</p>	846
9 57)	<p><i>To the Chargé in Japan (tel.)</i></p> <p>Authorization to make the approach outlined in the Department's telegram No. 149, June 2, 1939, with certain changes.</p>	848
12 98)	<p><i>From the American Chargé in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Information that the conditions brought about by the trade restrictions in North China cannot be reconciled with the objectives set forth in the Foreign Minister's note of April 13, 1939; hope, therefore, that the Japanese Government will not continue to stand behind these measures and will remove existing restrictions.</p>	848

Date and number	Subject	Page
1939 Aug. 17 (1357)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Data relating to various claims of U.S. concerns against the Peiping-Suiyuan Railway; request that steps be taken to have payments resumed; reservation of rights of U.S. firms arising from the taking over of the Peiping-Suiyuan Railway by a Japanese agency or Japanese-controlled company; similar reservation with respect to any railways taken over by the North China Transportation Co.</p>	849
Aug. 26	<p><i>Memorandum by the Secretary of State</i></p> <p>Conversation with the Japanese Ambassador in which the Ambassador presented a paper in regard to the reports that the Japanese were instigating anti-American movements in China, and the Secretary replied by reading a list of instances of transgressions by Japanese in China to the detriment of U. S. interest, of which the Ambassador requested a copy and was told that one would be sent to him.</p>	851
Aug. 26	<p><i>From the Japanese Ambassador</i></p> <p>Information offered in proof of the falseness of the reports of anti-American movements in North China; hope that steps will be taken to eradicate from the mind of the U.S. public any suspicion which might have been left by the false reports.</p>	853
Sept. 5	<p><i>To the Japanese Embassy</i></p> <p>Statement on the subject of anti-foreign propaganda in China, furnished in response to the Japanese Ambassador's request during the conversation of August 26, 1939.</p>	854
Oct. 18	<p><i>Press Release Issued by the Department of State</i></p> <p>Information that the difficulties at Amoy have been settled and that the U.S. landing force is being withdrawn.</p>	857
Nov. 14	<p><i>Memorandum by the Chief of the Division of Far Eastern Affairs</i></p> <p>Conversation with the Counselor of the Japanese Embassy who was informed that the cases recently settled by the Japanese authorities were more or less surface matters and did not touch some of the more fundamental difficulties such as the economic restrictions on U.S. interests in Japanese-occupied China.</p>	857

1940

1940 Mar. 20 (1498)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Information that Japanese naval authorities in South China refuse to permit U.S. oil companies to ship kerosene to the Nanhai District; request that they be directed to withdraw these and other restrictions calculated to prevent U.S. oil companies from freely operating in the areas of China under Japanese occupation.</p>	860
July 15	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Request that the new discriminatory regulations on imports</p>	861

Number	Subject	Page
40 9 97)	<p><i>To the Ambassador in Japan (tel.)</i></p> <p>Transcript of an oral statement handed to the Japanese Ambassador expressing the concern of the U.S. Government over the actions to which certain Japanese agencies appear to be resorting as a means of exerting pressure upon the authorities of the foreign-administered areas of Shanghai and upon the nationals of third powers (text printed); and an illustrative list of recent restrictions (text printed) which was also handed to the Japanese Ambassador.</p>	862
23	<p><i>Memorandum by the Under Secretary of State</i></p> <p>Conversation with the Japanese Ambassador who called to present a memorandum replying to the memorandum handed to him during the conversation on August 9, 1940.</p>	864
23	<p><i>From the Japanese Embassy</i></p> <p>Japanese explanation of the restrictions listed in the memorandum handed to the Japanese Ambassador on August 9, 1940.</p>	866
18 36)	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>List of representations made by the U.S. Embassy at Peiping to the Japanese Embassy there in regard to interferences with U.S. trade in petroleum products; types of interferences involved; emphatic protest against such restrictions; and full reservation of U.S. rights in the matter.</p>	872
20	<p><i>Memorandum by the Under Secretary of State</i></p> <p>Conversation with the Japanese Ambassador in which the Under Secretary presented an oral statement in reply to the Ambassador's memorandum of August 23, 1940, and, speaking of the Japanese ultimatum to the Government of French Indochina, informed the Ambassador that, in view of Japanese aggressions in the Far East, the Japanese Government would certainly have no ground for complaint because the United States rendered assistance in the form of supplies, munitions, et cetera, to China and to Indochina in the event that the latter was attacked.</p>	877
ated	<p><i>To the Japanese Embassy</i></p> <p>Statement that the Japanese Embassy's memorandum of August 23, 1940, is unresponsive to the U. S. Government's complaints in regard to economic restrictions which adversely affect U.S. interests in Japanese-occupied China. Expression of regret for the tone and language used in some parts of the Japanese memorandum.</p> <p>(Footnote: Handed to the Japanese Ambassador on September 20, 1940.)</p>	881
11	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Hope that the situation set forth in the Ambassador's note No. 1653 of the same date will receive the Foreign Minister's personal attention and effective intercession.</p>	883

Date and number	Subject
1940 Oct. 11 (1653)	<p><i>From the American Ambassador in Japan to the Minister for Foreign Affairs</i></p> <p>Statement calling attention to the apparent policy of the Japanese authorities to institute controls on the trade of Shanghai similar to the controls which historically eliminated American trade from Manchuria and North China.</p>
Oct. 15 (163, Asia I)	<p><i>From the Japanese Ministry for Foreign Affairs to the Embassy in Japan</i></p> <p>Reply to U.S. <i>aide-memoire</i> of July 15, 1940; explaining why the Japanese Government is convinced that regulatory measures are necessary for the protection of the welfare of North China.</p>
Oct. 24 (1665)	<p><i>From the American Ambassador in Japan to the Minister for Foreign Affairs</i></p> <p>Protest against the new measures regulating the export of vegetable fibers, animal hair, leather, and furs from North China; especial request for the exemption of goods and skins now covered by purchase contracts.</p>
Oct. 25	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Hope that the Foreign Minister will give his early consideration to the difficulty set forth in the Ambassador's note No. 1665 of October 24, 1940.</p>
Nov. 10	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Information from the Association of Fur Exporters and Importers that the Japanese firms in North China are unable to receive permits to export their furs whereas other firms are able to secure permits.</p>
Nov. 20 (5158)	<p><i>From the Ambassador in Japan</i></p> <p>Oral statement to the Foreign Minister, November 20, 1940 (text printed), expressing regret that the Japanese Government should have deemed it proper, without the permission of the Chinese Government at Chungking, to unduly alter the status of Chinese courts in the French Concession at Shanghai.</p>
Undated [Rec'd Dec. 18]	<p><i>From the Japanese Ministry for Foreign Affairs to the Embassy in Japan</i></p> <p>Conviction that steps taken regarding Chinese courts in the French Concession at Shanghai will contribute to the maintenance of order and security; inability, in view of Japanese recognition of the Chungking regime and determination to deal with it, to agree with the argument set forth by the U.S. Government.</p>
Dec. 17	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister who presented an oral statement in reply to certain U.S. notes of June 15 and September 15, 1940; the Ambassador's refutation of the Foreign Minister's charges.</p>

Date and number	Subject	Page
1940 Dec. 17	<p><i>Oral Statement by the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>General explanations and excuses in regard to cases complained of in the U.S. notes of June 10 and September 15, 1940; charge that the various points at issue might have been settled locally but for the State Department's insistence upon legal principles.</p>	895
Dec. 17	<p><i>Oral Statement by the Japanese Minister for Foreign Affairs to the American Ambassador in Japan</i></p> <p>Information that the authorities on the spot have been ordered to investigate the cases complained of in the Ambassador's note No. 1638, September 18, 1940, but that before these reports are received it is possible to state: (1) that the restrictions on shipments into unoccupied areas are necessary to prevent certain supplies from reaching Chiang Kai-shek, and (2) that all restrictions with regard to price fixing are applicable to Japanese and foreigners alike.</p>	899

1941

1941 Jan. 7	<p><i>Oral Statement by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Information that the U.S. Government regrets that the Foreign Minister's oral statement of December 17, 1940, cannot be considered as responsive to the representations made by the U.S. Government.</p>	901
Feb. 6	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Director of the American Bureau who came in to report on his observations during his recent visit to China but offered little or nothing which could be regarded as either helpful or hopeful.</p>	901
Mar. 25	<p><i>Memorandum by the Second Secretary of Embassy in Japan</i></p> <p>Conversation with the Director of the American Bureau in which the Second Secretary gave the Director an oral statement with reference to interference with petroleum trade in the Canton area and was informed by the Director that he would investigate the difficulties and see what could be done although he felt that progress would be slow and better results would be obtained by not pressing the matter too urgently at the present time.</p>	904
Mar. 25	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Oral representations concerning interference with petroleum trade in the Canton area.</p>	905
Aug. 4 (203)	<p><i>From the Counselor of Embassy in China (tel.)</i></p> <p>Memorandum left at the Japanese Embassy, August 1, 1941 (text printed), setting forth instances of arbitrary action by the Japanese authorities against Americans and American interests in many parts of China.</p>	905

Date and number	Subject	Page
1941 Aug. 6 (1871)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Report that armed guards were posted on July 28, 1941, at five U.S. firms in Chefoo and that the Foreign and Chinese staff were detained; request that guards posted on U.S. property in Chefoo be removed and that steps be taken to prevent further instances of the detention of Americans or the unwarranted detention of non-American employees of American firms.</p>	906
Aug. 7 (1873)	<p><i>From the American Embassy in Japan to the Japanese Ministry for Foreign Affairs</i></p> <p>Report that Japanese armed forces occupied U.S. properties at Tsingtao on July 28, 1941, and were still in occupation on July 29; request that steps be taken to effect the withdrawal of any forces which may yet be in occupation of U. S. properties and to prevent the occurrence of similar incidents in the future.</p>	907
Aug. 13	<p><i>Memorandum by the Secretary of State</i></p> <p>Conversation with the Japanese Ambassador in which the Secretary handed the Ambassador a statement of instances of mistreatment of Americans and injury to American rights in places under Japanese jurisdiction, in reply to which the Ambassador said that he would be glad to take the matter up with his Government.</p>	907
Undated	<p><i>To the Japanese Embassy</i></p> <p>Statement of recent cases of interference with U.S. rights and interests in Japan and in Japanese-occupied areas of China. (Footnote: Handed to the Japanese Ambassador August 13, 1941.)</p>	908
Aug. 15	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador supported the representations made by Secretary of State on August 13, 1941, and brought to the Foreign Minister's attention the serious matter of the inability of a group of U.S. officials and citizens departing for the United States to obtain passage to Shanghai on Japanese vessels; the Foreign Minister's understanding that the <i>Coolidge</i> arrangements had broken down because of U.S. condition limiting passengers to officials, which the Ambassador denied, stating that that condition had been laid down by the Japanese Government.</p>	911
Aug. 16	<p><i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i></p> <p>Confirmation of his statement made the previous day that the condition limiting passengers exclusively to officials should the <i>Coolidge</i> call at Yokohama, had been laid down by the Japanese Government and that it was that condition which had wrecked the whole project.</p>	913
Sept. 13	<p><i>Memorandum by the Ambassador in Japan</i></p> <p>Conversation with the Foreign Minister in which the Ambassador presented a letter in regard to further instances of interferences with U.S. citizens and the Foreign Minister promised to give his best efforts to removing these grounds for complaint.</p>	913

and ber	Subject	Page
1 13	<i>From the American Ambassador in Japan to the Japanese Minister for Foreign Affairs</i>	914
	Memorandum (text printed) giving further instances of obstructions, interferences, and inconveniences imposed on U.S. citizens within the Japanese Empire and Japanese-controlled areas.	
16 5, ri- I)	<i>From the Japanese Ministry for Foreign Affairs to the American Embassy in Japan</i>	917
	Reply to the Secretary's representations of August 13, 1941, concerning interferences with U.S. rights and interests; information that instructions have been issued to prevent the measures from being applied unreasonably or unnecessarily; addendum (text printed), reporting details of those cases which have been clarified.	
7 7)	<i>From the Ambassador in Japan (tel.)</i>	921
	Foreign Office note, October 3, 1941, explaining the necessity for posting guards on the property of certain U.S. firms at Chefoo and denying that there were any detentions of nationals of third powers.	
21 3)	<i>From the Ambassador in Japan (tel.)</i>	921
	Report of the receipt of a Foreign Office note dated October 10, 1941 (summary printed) which the Ambassador considers unsatisfactory in that it attempts to explain away a number of isolated cases without discussing the general principles underlying U. S. complaints.	
28 2)	<i>From the Ambassador in Japan (tel.)</i>	923
	Report of the receipt of a Foreign Office note dated October 22, 1941 (summary printed) in continuation of the note dated October 10, 1941. Observation that except in one instance the notes are similar in tone and that the general comments expressed in previous report apply to both.	
25 6)	<i>From the Ambassador in Japan (tel.)</i>	924
	Information that a personal letter was addressed to Foreign Minister on November 22, 1941, informing him that the language of the Foreign Office replies was in some respects unusual; that the abrupt denial of carefully prepared reports of U.S. officials would seem to imply that Japanese officials placed no credence in such reports; and concluding with a request for the removal of transportation interferences.	

EMENTS BY THE SECRETARY OF STATE OF THE POLICY OF THE UNITED STATES
TO RELINQUISH BY AGREEMENT EXTRATERRITORIAL RIGHTS IN CHINA

0 19	<i>Statement by the Acting Secretary of State</i>	927
	Comments to the effect that, although discussions in regard to U.S. extraterritorial rights in China have been halted by Sino-Japanese hostilities, the United States yet adheres to its announced policy of relinquishing such rights as rapidly as possible by orderly processes.	
1 26	<i>From the Appointed Chinese Minister for Foreign Affairs</i>	927

STATEMENTS BY THE SECRETARY OF STATE OF THE POLICY OF THE UNITED STATES
TO RELINQUISH BY AGREEMENT EXTRATERRITORIAL RIGHTS IN CHINA—Continued

Date and number	Subject	Page
1941 May 31	<i>To the Appointed Chinese Minister for Foreign Affairs</i> Expression of gratitude for the Minister's letter of May 26, 1941; statement of the profound interest of the United States in the progress of China and of the U.S. Government's intention, when peace again prevails, to move rapidly toward the relinquishment of all U. S. special rights in China.	

OCCUPATION OF MANCHURIA BY JAPAN AND
STATEMENT OF POLICY BY THE UNITED
STATES

OCCUPATION OF MANCHURIA BY JAPAN AND STATEMENT OF POLICY BY THE UNITED STATES

793.94/1794 : Telegram

The Minister in China (Johnson) to the Secretary of State

PEIPING, September 19, 1931—2:30 a. m.

[Received September 18—7:10 p. m.]

599. Donald,¹ adviser to Marshal Chang Hsueh-liang,² has just informed me of the receipt here by Chang Hsueh-liang of a telegram from Mukden to the effect that at 10 p. m., on evening of September 18th a squad of Japanese soldiers, having left Japanese barracks and gone southeast of Mukden City, were firing with rifles at the east camp, arsenal and city and with artillery at the rate of one shell a minute. Statement is that some 70 soldiers at east camp had been injured. No knowledge of amount of damage or number of casualties in city. Donald stated that Marshal Chang Hsueh-liang had ordered all Chinese soldiers within barracks, depoted all arms, and forbade retaliation, adding that Japanese soldiers had apparently run amuck, Japanese consular authorities being powerless. Firing reported to be still going on at 1 o'clock this morning, Japanese soldiers then at west gate apparently surrounding city.

Please inform War and Navy Department[s]. Nanking, commander in chief and Tokyo informed.

JOHNSON

793.94/1812 : Telegram

The Chargé in Japan (Neville) to the Secretary of State

TOKYO, September 21, 1931—10 a. m.

[Received September 21—3:33 a. m.]

155. Embassy's 150, September 19, noon.³ I have since learned by telegram from the Consul at Dairen that the Japanese have occupied

further military operations and (2) to withdraw their armed forces. He said that the Foreign Office had informed him that orders had already been issued to stop military operations; that in regard to (2) the Japanese Government was deliberating but they were determined to safeguard the lives and property of the civilian population, Japanese and foreign as well as Chinese. I understand that the Japanese authorities are operating all public services at the occupied areas.

Recent reports indicate consistent unrest in the Chientao region on the Korean border. I have been unable as yet to ascertain just what is taking place there.

Repeated to Peiping.

NEVILLE

793.94/1815 : Telegram

The Minister in China (Johnson) to the Secretary of State

PEIPING, September 21, 1931—noon.

[Received September 21—10 a. m.⁴]

614. Your 330, September 19, 3 p. m., received September 21, 9 a. m.⁵

1. In my 604, September 19, 4 p. m.,⁵ I suggested that it seemed to me wise that I be in Peiping for the present to watch the situation. It seems also wise to be here where I can consult with my British colleague about local matters. . . .

2. My telegrams sent on the 19th and 20th⁶ will have given Department all of the factual information which has come to my knowledge. No one appears to be able to give satisfactory reason for chain of incidents which began about 10 o'clock on the evening of September 18th and which by steady progress have resulted in putting all of Manchuria south of Changchun and east of the Peking-Mukden Railway line under Japanese military control. Legation has endeavored to keep Department informed of details of Nakamura case.⁷ It is my belief that it was this incident which precipitated the chain of events above referred to. Travellers and visitors in Manchuria have informed me that for some two or three weeks past Japanese soldiers have been carrying out daily and nightly maneuvers and sham fights in and around the railway settlements along the line of the South Manchuria Railway from Changchun to Liaoning, using blank car-

⁴Telegram in five sections.

⁵Not printed.

⁶None printed, except telegram No. 599, Sept. 19, 1931, p. 1.

⁷Captain Shintaro Nakamura, a Japanese military officer who was shot in Manchuria about June 27, 1931, by Chinese soldiers of the Fengtien Army.

4
railway station while he was having money changed and which created a tremendous disturbance.

Guests in hotels state that during such sham fighting Japanese soldiers would enter hotels, seek out vacant rooms, plant machine guns in windows and on roofs and immediately commence firing to the disturbance of everyone. It is my present belief that much of this was deliberately staged for the purpose of accustoming the populace to the maneuvering of Japanese soldiery day and night and to the sound of machine and other guns.

3. Japanese statement contained in my 603, September 19, 3 p. m., Tilson's telegrams September 19, 1 p. m., and September 19, 6 p. m., is to the effect that this chain of incidents was not precipitated by Nakamura affair but was started because of clash between Japanese guards and armed Chinese soldiers attempting to break South Manchuria Railway tracks.

It seems to me absurd to believe that mere destruction of railway tracks would warrant occupation of Manchuria, and to imply that chain of events above mentioned was accidental or occurred on the spur of the moment leaves out of consideration the fact that whole series of incidents involving military occupation of places as far apart as Changchun, Newchwang, Antung, Kowpangtze and Hulutao implies a degree of staff work which could not [have been?] improvised. Furthermore it is our understanding here that Japanese military headquarters were transferred almost immediately from Port Arthur to Mukden.

4. There has been ample indication in the situation arising out of Nakamura affair of indignation on the part of the Japanese military over the whole situation in Manchuria and a desire to avenge Japan for indignities due to unsettled cases and in particular the alleged execution of a Japanese military officer upon active duty.

I understand that Japanese military believe this necessary to restoration of their popularity. Some ten days ago I was informed by Dr. J. C. Ferguson⁹ of his belief that Japan intended to occupy Manchuria within three months. There have been other statements of this kind although I have been unwilling to put too much faith or credence in them, but now that the event has transpired I cannot escape the feeling that it is the result of careful planning. I am without any information as to what Japan next proposes to do but I imagine that before Japan retires from points now in occupation she will demand and receive satisfactory settlement of all points at issue at least in regard to Manchuria.

extraterritorial regulations between Japan and China.
6. The situation today is that Japan is in possession of South Manchuria. Train service between Peiping and Mukden is open but I understand that entry into Manchuria along usual lines of communication is only accomplished with the permission of Japanese authorities.

Repeated to Tokyo.

JOHNSON

793.94/1822 : Telegram

The Chargé in Japan (Neville) to the Secretary of State

TOKYO, September 22, 1931—5 p.m.

[Received September 22—10 a.m.]

157. My 155, September 21, 10 a.m. I am informed that (1) four thousand troops from Chosen have been sent to Mukden and (2) one brigade has been sent from Changchun to Kirin at the request of the Japanese residents there. The Government states orally that there have been no disturbances in any of the occupied areas in the past two days. The Chientao region is not occupied by Japanese troops, I understand.

The occupation of so large an area seems out of proportion to the alleged cause. The military undoubtedly had detailed plans like every army for every contingency they could think of. It seems probable that the incident referred to was seized upon by the Army authorities and the whole area occupied as a military measure to force a general liquidation of outstanding issues.

I am inclined to think that the Foreign Office and perhaps other branches of the Government here have been genuinely surprised by the action of the Army at this time.

Repeated to Peiping.

NEVILLE

793.94/1838 : Telegram

The Minister in China (Johnson) to the Secretary of State

PEIPING, September 22, 1931—8 p.m.

[Received September 23—9:20 a.m.¹¹]

625. My 615, September 21, 2 p.m., referring to Nanking's appeal to us¹² under the Kellogg Pact,¹³ also my 614, September 21, noon.

¹¹ Telegram in two sections.

¹² Telegram not printed. For text of the note of September 21, 1931, from the Chinese Government to the United States Government see *Conditions in Man-*

ities of powers signatory to Kellogg Pact in relation thereto.

According to all information available to me here, I am driven to the conclusion that the forceful occupation of all strategic points in southern Manchuria, including the taking over and operation of public utilities, banks, and in Mukden at least the functions of civil government, is an aggressive act by Japan apparently long planned and when decided upon most carefully and systematically put into effect. I find no evidence that these events were the result of accident nor were they the acts of minor and irresponsible officials.

By article 1 of the Kellogg Treaty the high contracting parties, including which is Japan, renounce war "as an instrument of national policy in their relations with one another." By article 2 they agree that the settlement or solution of all disputes all [or] conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

It is my conviction that the steps taken by Japan in Manchuria fall within any definition of war and certainly may not be considered as a pacific means of settling a dispute with China, a nation adherent to the treaty.

The treaty providing for the renunciation of war as a national policy was a solemn undertaking on the part of the nations of the world and those nations now stand at the bar of the nations of the world to answer for their sincerity.

It seems to me necessary that the powers signatory to the Kellogg Treaty owe it to themselves and to the world to pronounce themselves in regard to this Japanese act of aggression which I consider to have been deliberately accomplished in utter and cynical disregard of obligations which Japan as a nation shares with the other signatories of the pact.

JOHNSON

4/1868

Memorandum by the Secretary of State

[WASHINGTON,] September 22, 1931.

I opened the conversation with the Japanese Ambassador by referring to our last talk on September 17th when we had both expressed the feeling that the relations of our two countries were in such an unsatisfactory condition. I said I had been profoundly surprised and concerned by what was taking place in Manchuria and that I had sent

(the Ambassador) had been and how concerned he was and how impossible it was for him to understand the causes of what had taken place.

I explained that as he well knew, I had the utmost confidence in Baron Shidehara ¹⁵ and his desire for peace and correct international relations. I told him that I had learned from Dr. Hornbeck's report of what Debuchi had said Sunday—that there was a sharp cleavage between Shidehara and some of the militaristic elements of his government. He said that that was so. I said that what I was now doing was seeking to strengthen Baron Shidehara's hand and not to weaken it. The Ambassador said he understood that perfectly. I then took the memorandum which had been prepared (a copy of which is annexed) and read it very slowly to the Ambassador, paraphrasing the language into more simple words wherever it seemed at all necessary in order that he should fully understand it. He repeated many of the sentences, showing that he did understand. When I had finished I said that this was not to be taken as a formal note or an official action on the part of my government, but as the memorandum of a verbal statement given to the Ambassador for the purpose of enabling him to understand and report to his government how I, with my background of friendship towards Japan, felt towards this situation. I said that the Ambassador was at liberty to send it to Shidehara or not, as he saw fit. He said he understood perfectly and that the memorandum did not represent an official note but that if the situation was not remedied he understood that it might be followed by official action on our part later. He said he would communicate its contents to his government that evening.

I then told him that there was one thing however that I would like to ask of him and that was that he postpone his departure for Japan until this situation was in better shape. I told him I felt confidence in him from our long relations together and that it would be easier to handle the situation if he was here. He expressed himself as very much touched by this and said that he was glad to be able to say that this morning he had, after having purchased his tickets and made all his plans, decided to postpone his departure and had told Madame Debuchi and his daughter to that effect, and had telegraphed out to the Japanese Consul in San Francisco to cancel the appointments he had made.

I spent quite a little time after reading the memorandum in pointing out what a serious impression it would make in this country if the situation of Manchuria is not restored to the *status quo*. He said he

had taken in the press conferences. He begged me that if the time should ever come when I did wish to act officially in this matter I would first inform him. I said I would try to do so.

H[ENRY] L. S[TIMSON]

30 [Enclosure]

MEMORANDUM

Without going into the background, either as to the immediate provocation or remote causes or motivation, it appears that there has developed within the past four days a situation in Manchuria which I find surprising and view with concern. Japanese military forces, with some opposition at some points by Chinese military forces, have occupied the principal strategic points in South Manchuria, including the principal administrative center, together with some at least of the public utilities. It appears that the highest Chinese authority ordered the Chinese military not to resist, and that, when news of the situation reached Tokyo, but after most of the acts of occupation had been consummated, the Japanese Government ordered cessation of military activities on the part of the Japanese forces. Nevertheless, it appears some military movements have been continuously and are even now in process. The actual situation is that an arm of the Japanese Government is in complete control of South Manchuria.

The League of Nations has given evidence of its concern.¹⁶ The Chinese Government has in various ways invoked action on the part of foreign governments, citing its reliance upon treaty obligations and inviting special reference to the Kellogg Pact.¹⁷

This situation is of concern, morally, legally and politically to a considerable number of nations. It is not exclusively a matter of concern to Japan and China. It brings into question at once the meaning of certain provisions of agreements, such as the Nine Powers Treaty of February 6, 1922,¹⁸ and the Kellogg-Briand Pact.

The American Government is confident that it has not been the intention of the Japanese Government to create or to be a party to the creation of a situation which brings the applicability of treaty provisions into consideration. The American Government does not wish to be hasty in formulating its conclusions or in taking a position.

¹⁶ See telegram, September 22, 1931, sent by the President of the Council to the Governments of Japan and China, League of Nations, *Official Journal*, December, 1931, p. 2454.

¹⁷ See note, September 21, 1931, from the Chinese Government to the League of Nations, *ibid.*, p. 2453, and the note, September 21, 1931, from the Chinese

situation exists, which no doubt is embarrassing to the Japanese Government. It would seem that the responsibility for determining the course of events with regard to the liquidating of this situation rests largely upon Japan, for the simple reason that Japanese armed forces have seized and are exercising *de facto* control in South Manchuria.

It is alleged by the Chinese, and the allegation has the support of circumstantial evidence, that lines of communication outward from Manchuria have been cut or interfered with. If this is true, it is unfortunate.

It is the hope of the American Government that the orders which it understands have been given both by the Japanese and the Chinese Governments to their military forces to refrain from hostilities and further movements will be respected and that there will be no further application of force. It is also the hope of the American Government that the Japanese and the Chinese Governments will find it possible speedily to demonstrate to the world that neither has any intention to take advantage, in furtherance of its own peculiar interests, of the situation which has been brought about in connection with and in consequence of this use of force.

What has occurred has already shaken the confidence of the public with regard to the stability of conditions in Manchuria, and it is believed that the crystallizing of a situation suggesting the necessity for an indefinite continuance of military occupation would further undermine that confidence.

793.94/1876b : Telegram

The Secretary of State to the Chargé in Japan (Neville)

WASHINGTON, September 24, 1931—2 p. m.

166. 1. The Department has been giving the most careful consideration to the questions arising from the situation in Manchuria as described in your reports and those from Peiping and elsewhere.

Reports from other quarters, both official and unofficial, contain much more complete data than those emanating from Japan.

The Department has received from the Chinese Chargé d'Affaires, and is now giving consideration to, a note in which it is charged that "in this case of unprovoked and unwarranted attack and subsequent occupation of Chinese cities by Japanese troops" Japan has deliberately violated the Kellogg Pact. "The Chinese Government urgently appeals to the American Government to take such steps

disputes."

The Department is giving the situation and the whole range of possibilities its most careful consideration. It has had three conversations with the Japanese Ambassador and three with the Chinese Chargé, in which the Department has urged cessation of hostilities and a withdrawal from the present situation of danger. It would welcome any comments and suggestions which you may care to make.

2. In response to a communication from the Council of the League of Nations received through the American Minister at Berne, the Department has assured the Council^{18a} that this Government is in wholehearted sympathy with the attitude of the League of Nations as expressed in paragraphs 1 and 2 of the Council's resolution adopted on September 22¹⁹ and that the Department will despatch to Japan and China notes along similar lines.²⁰

STIMSON

793.94/1868d : Telegram

The Secretary of State to the Chargé in Japan (Neville)

WASHINGTON, September 24, 1931—4 p. m.

167. Please deliver to the Minister for Foreign Affairs immediately as a note, the identical text of which will be communicated by the American Minister to China to the Chinese Minister for Foreign Affairs, the following:

"The Government and people of the United States have observed with regret and with great concern events of the past few days in Manchuria. In view of the sincere desire of the people of this country that principles and methods of peace shall prevail in international relations, and of the existence of treaties, to several of which the United States is a party, the provisions of which are intended to regulate the adjustment of controversies between nations without resort to use of force, the American Government feels warranted in expressing to the Chinese and the Japanese Governments its hope that they will cause their military forces to refrain from any further hostilities, will so dispose respectively of their armed forces as to satisfy the requirements of international law and international agreements, and will refrain from activities which may prejudice the attainment by amicable methods of an adjustment of their differences."

STIMSON

^{18a} *Conditions in Manchuria*, pp. 4, 5.

¹⁹ See telegram, September 22, 1931, sent by the President of the Council to the Governments of Japan and China, League of Nations, *Official Journal*, December, 1931, p. 2454.

²⁰ See *infra*.

793.94/1876c : Telegram

The Secretary of State to the Minister in China (Johnson)

[Paraphrase]

WASHINGTON, September 24, 1931—6 p. m.

341. For your personal information, I want to give you, with regard to your various telegrams concerning the trouble in Manchuria, a picture of the policy of the Department.

The Department, as already reported, is completely sympathetic with the action of sending identic notes to Japan and China already taken by the League of Nations. However, the idea of sending a military commission to Manchuria to establish the facts disturbed us. At the time of the dispute between Bulgaria and Greece this was done by the League with success. Entirely different, however, are the conditions in the Manchurian situation. The issue in the Bulgarian-Greek dispute was a line dividing the two countries. In Manchuria, since the Japanese troops are in that section of China under treaty provisions, no such issue arises. Moreover, even as a fact-finding body, the Department has felt very strongly that a commission sent to Manchuria could have little success without the consent of both the Chinese and Japanese. That the Japanese nationalistic element would be immensely strengthened and that it would unite Japan behind the military element, is our principal fear concerning such an imposed commission. The civilian arm of the Government in Japan, we believe, is opposed to the adventure in Manchuria, and the Department feels it is important in every way to support this element. It was our suggestion to Geneva, therefore, that there was a greater possibility of obtaining the consent of Japan if the composition of the commission to be appointed were to be along the lines of our suggestion of two years ago to China and Russia. In other words, the commission should be one appointed by both parties involved in the dispute. The League has adopted this suggestion and, if Japan accepts, at present intends to establish a commission consisting of two members appointed by Japan, two by China, and three by the League Council. This commission we understand would be purely fact finding and have very narrow terms of reference. However, if it can be brought about between the Japanese and Chinese, we believe there is a much greater chance of reaching a solution—in view of Oriental psychology—by direct consultation. The Department feels at the

Government would be inclined to favor, in case direct conversations are unsuccessful between the two parties, action under article 11 and subsequent articles of the League Covenant signed by both Japan and China.

The treaties of 1922 and the Kellogg Pact still remain and might be invoked in case this action should be unsuccessful. The above is, in general, the line we intend to take. Any comments or further suggestions you wish to make would be welcomed.

Please repeat this telegram to Tokyo as No. 169.

STIMSON

793.94/1946

*The Japanese Embassy to the Department of State*²¹

STATEMENT ISSUED AFTER EXTRAORDINARY CABINET MEETING
SEPTEMBER 24, 1931

(1) The Japanese Government has constantly been exercising honest endeavors in pursuance of its settled policy to foster friendly relations between Japan and China and to promote the common prosperity and well-being of the two countries. Unfortunately, the conduct of officials and individuals of China, for some years past, has been such that our national sentiment has frequently been irritated. In particular, unpleasant incidents have taken place one after another in regions of Manchuria and Mongolia in which Japan is interested in especial degree until an impression has gained strength in the minds of the Japanese people that Japan's fair and friendly attitude is not being reciprocated by China in like spirit. Amidst an atmosphere of perturbation and anxiety thus created a detachment of Chinese troops destroyed tracks of the South Manchurian Railway in the vicinity of Mukden and attacked our railway guards at midnight of September 18th. A clash between Japanese and Chinese troops then took place.

(2) The situation became critical as the number of Japanese guards stationed along the entire railway did not then exceed ten thousand four hundred while there were in juxtaposition some two hundred twenty thousand Chinese soldiers. Moreover, hundreds of thousands of Japanese residents were placed in jeopardy. In order to forestall imminent disaster the Japanese army had to act swiftly. The Chinese soldiers, garrisoned in neighboring localities, were disarmed and the

²¹ Left with the Under Secretary of State by the Japanese Ambassador on September 25, 1931.

(3) These measures having been taken, our soldiers were mostly withdrawn within the railway zone. There still remain some detachments in Mukden and Kirin and small number of men in a few other places. But nowhere does a state of military occupation as such exist. Reports that Japanese authorities have seized customs or salt gabelle office at Yingkou or that they have taken control of Chinese railways between Supingkai and Chengchiatun or between Mukden and Simintun are entirely untrue, nor has the story of our troops having ever been sent north of Changchun or into Chientao any foundation in fact.

(4) The Japanese Government at a special cabinet meeting September 19th took decision that all possible efforts should be made to prevent aggravation of the situation and instructions to that effect were given to the commander of the Manchurian garrison. It is true that a detachment was despatched from Changchun to Kirin September 21st, but it was not with a view to military occupation but only for the purpose of removing the menace to the South Manchuria Railway on flank. As soon as that object has been attained the bulk of our detachment will be withdrawn. It may be added that while a mixed brigade of four thousand men was sent from Korea to join the Manchurian garrison the total number of men in the garrison at present still remains within the limit set by the treaty and that fact cannot therefore be regarded as having in any way added to the seriousness of the international situation.

(5) It may be superfluous to repeat that the Japanese Government harbors no territorial designs in Manchuria. What we desire is that Japanese subjects shall be enabled to safely engage in various peaceful pursuits and be given an opportunity for participating in the development of that land by means of capital and labor. It is the proper duty of a government to protect the rights and interests legitimately enjoyed by the nation or individuals. The endeavors of the Japanese Government to guard the South Manchurian Railway against wanton attacks would be viewed in no other light. The Japanese Government, true to established policy, is prepared to cooperate with the Chinese Government in order to prevent the present incident from developing into a disastrous situation between the two countries and to work out such constructive plans as will once for all eradicate causes for future friction. The Japanese Government would be more than gratified if the present difficulty could be brought to a solution which will give a new turn to mutual relations of the two countries.

TOKYO, September 28, 1931—5 p. m.

[Received September 28, 9:15 a. m.]

63. My telegram No. 161, September 25, 7 p. m.²² I have just received the following note from the Minister for Foreign Affairs:

I have the honor to acknowledge receipt of your note of September 23 in which you were so good as to convey to me the views of the American Government on the subject of the actual condition of affairs in Manchuria.

The Japanese Government is deeply sensible of the friendly concern and the fairness of views with which the American Government has observed the recent course of events in Manchuria. In common with the hope expressed by the American Government, it has already urged the Japanese military forces in Manchuria to refrain from any further acts of hostility, unless their own safety as well as the security of the South Manchuria Railway and of Japanese lives and property within that railway zone is jeopardized by the aggression of Chinese troops or armed bands. Every care has been, and will continue to be, exercised by the Japanese forces to observe all the requirements of international law and international agreements, and to avoid any action that is calculated to prejudice an amicable settlement of the differences between Japan and China.

The Japanese Government is confident [that] by frank and unimpassioned discussions between the two parties in conflict, in the light of their true and lasting interests, an adjustment will be found to set at rest the existing situation of tension in Manchuria."

The Foreign Office told me that they had communicated it to the Japanese Minister at Washington. It has also been released to the press. Repeated to Peiping.

NEVILLE

*Resolution Adopted by the Council of the League of Nations on
September 30, 1931*²⁴

The Council,

1. Notes the replies of the Chinese and Japanese Governments to the urgent appeal addressed to them by its President and the steps that have already been taken in response to that appeal;
2. Recognises the importance of the Japanese Government's statement that it has no territorial designs in Manchuria;

²² Not printed.

²³ See telegram No. 167, Sept. 24, 1931, to the Chargé in Japan, p. 9.

²⁴ Reprinted from League of Nations, *Official Journal*, December, 1931, p. 2307.

ment will continue, as rapidly as possible, the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be;

4. Notes the Chinese representative's statement that his Government will assume responsibility for the safety of the lives and property of Japanese nationals outside that zone as the withdrawal of the Japanese troops continues and the Chinese local authorities and police forces are re-established;

5. Being convinced that both Governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective Governments will take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation;

6. Requests both parties to do all in their power to hasten the restoration of normal relations between them and for that purpose to continue and speedily complete the execution of the above-mentioned undertakings;

7. Requests both parties to furnish the Council at frequent intervals with full information as to the development of the situation;

8. Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, October 14th, 1931, to consider the situation as it then stands;

9. Authorises its President to cancel the meeting of the Council fixed for October 14th should he decide, after consulting his colleagues, and more particularly the representatives of the two parties, that, in view of such information as he may have received from the parties or from other members of the Council as to the development of the situation, the meeting is no longer necessary.

793.94/2008 : Telegram

The Chargé in Japan (Neville) to the Secretary of State

TOKYO, October 8, 1931—5 p. m.
[Received October 8—7:04 a. m.]

178. The General Staff has issued an information bulletin to foreign military attachés stating that the banditry and atrocities committed by the defeated Chinese troops in Manchuria make it impossible to with-

sent situation. A proclamation to this effect was made by the commander of the troops in Manchuria and is declared to be in complete accordance with the view of the General Staff.

I believe that the Japanese Government is becoming increasingly alarmed and apprehensive of developments in China and may resort to further measures to protect the lives of Japanese there. I have just been informed orally by the Foreign Office that a note is being sent to Nanking complaining of the anti-Japanese activities in intramural China.²⁵

Repeated to Peiping.

NEVILLE

04/3511

*The Japanese Embassy to the Department of State*²⁶

Mamoru Shigemitsu²⁷ has been instructed to forward to the Chinese Government the following memorandum dated October 9.

1) The Japanese Government has already made it clear that the Manchurian affair is nothing but the outcome of a deep-rooted anti-Japanese feeling in China which has taken a specially provocative form in the recent challenge to Japanese troops compelling the latter to resort to measures of self-defence. The responsibility for the present situation naturally lies with the Chinese Government.

The Japanese Government has time and again requested the Chinese Government to take proper steps to check the anti-Japanese movement so systematically carried out in various places in China. Being anxious to maintain cordial relations between the two countries, the Japanese Government has exercised the greatest patience and forbearance in the hope that this deplorable state of affairs may yet improve. Unfortunately, however, this anti-Japanese agitation seems now to be assuming alarming proportions. It is learned that the anti-Japanese societies at Shanghai and elsewhere have passed resolutions not only to enforce prohibition of trading in and transportation of Japanese goods but also to order cancellation of existing contracts and otherwise to prohibit business transactions and to cancel contracts of employment between

See *infra*.

This memorandum was sent to the Under Secretary of State by the Japanese Ambassador the evening of October 8, 1931.

Mamoru Shigemitsu, Japanese Minister in China.

of economic relations with Japan". For that purpose examination and detention of goods and persons, intimidation and violence, and various other means are being employed to give effect to such resolutions and severe penalties are meted out to any who may fail to comply with these orders, some societies even going so far as to threaten capital punishment. Moreover, cases of expropriation and detention of goods owned by Japanese people and of threats and violence against their lives and property have become so numerous and insistent throughout China that they have been forced to withdraw totally or partially from various localities.

(2) It is to be noted that the anti-Japanese movement in China is conducted as an instrument of national policy under the direction of the Nationalist Party which in view of the peculiar political organization of China is inseparable in function from the Government. That movement must therefore be clearly distinguished from the one which originates spontaneously amongst the people. It is therefore evident that the present anti-Japanese movement in China is not only in contravention of the letter and spirit of the treaties existing between the two countries but constitutes a form of hostile act without the use of arms contrary to all standards of justice and friendship. The Chinese Government will be assuming a very serious responsibility if it should fail to take prompt and effective measures to quell that agitation. Moreover, in meting out penal sentences to individual citizens anti-Japanese societies which are purely private organizations are clearly usurping the authority of the National Government.

(3) It will be remembered that at a recent meeting of the Council of the League of Nations at Geneva the Chinese representative as well as the Japanese gave assurance that their respective governments would endeavor to prevent aggravation of the situation.²⁸ The Chinese Government obviously against that pledge is actually aggravating the situation by making no honest or effective effort to restrain activities of anti-Japanese societies which are jeopardizing the lives and property as well as the liberty of trade of Japanese subjects in different parts of China.

(4) The Japanese Government desires to call once more the serious attention of the Chinese Government to these actions on the part of anti-Japanese societies and to declare at the same time that the Chinese Government will be held responsible for whatever may be the consequences of its failure to suppress the anti-Japanese movement and to afford adequate protection to the lives and property of Japanese subjects in China.

[Paraphrase]

WASHINGTON, October 9, 1931—3 p. m.

191. It is my desire that you call immediately upon Baron Shidehara and question him (1) whether the Japanese Government has given its assent to the information bulletin of the Japanese General Staff which you summarized in your 178 and in which the statement is made that for various reasons the withdrawal of Japanese troops cannot take place; (2) whether it is true that bombs have been dropped on Chin-chow by Japanese airplanes as is reported on what seems good authority.

STIMSON

793.94/2013 : Telegram

The Secretary of State to the Consul at Geneva (Gilbert)

[Paraphrase]

WASHINGTON, October 9, 1931—6 p. m.

73. Consulate's 162, October 8[7], 5 p. m.²⁹ A memorandum in writing containing the following message from me dated as of October 5, 1931, may be handed by you to Sir Eric Drummond.³⁰ This he may feel free to communicate confidentially to the Council members.³¹

"I believe that our cooperation in the future handling of this difficult matter should proceed along the course which has been followed ever since the first outbreak of the trouble fortunately found the Assembly and Council of the League of Nations in session. The Council has deliberated long and earnestly on this matter and the Covenant of the League of Nations provides permanent and already tested machinery for handling such issues as between States members of the League. Both the Chinese and Japanese have presented and argued their cases before the Council and the world has been informed through published accounts with regard to the proceedings there.³² The Council has formulated conclusions and outlined a course of action to be followed by the disputants; and as the said disputants have made commitments to the Council, it is most desirable that the League in no way relax its vigilance and in no way fail to assert all the pressure and authority within its competence towards regulating the action of China and Japan in the premises.

On its part the American Government acting independently through its diplomatic representatives will endeavor to reinforce what the League does and will make clear that it has a keen interest in the matter and is not oblivious to the obligations which the disputants have

²⁹ Not printed.

³⁰ Secretary-General of the League of Nations.

the Nine Power Pact should a time arise when it would seem advisable to bring forward those obligations. By this course we avoid any danger of embarrassing the League in the course to which it is now committed."

STIMSON

793.94/2079b : Telegram

The Secretary of State to the Chargé in Japan (Neville)

WASHINGTON, October 10, 1931—2 p. m.

192. Until recently we have been reassured by the commitments made by the governments both of China and Japan to the League of Nations which were embodied in the Resolution of the 30th of September.³³ Under that Resolution, Japan agreed to continue as rapidly as possible the withdrawal of its troops into the railway zone, while China with Japan's consent agreed to assume responsibility for the safety of lives and property of Japanese nationals outside of that zone. I am, however, much disturbed by later reports, especially of the last 48 hours, which indicate that these commitments are not being carried out by either government.

I wish that you would call upon Baron Shidehara at once and, after reading him the above, impress upon him the dangers to all interests in China which we feel will inevitably result unless the pacific policy thus agreed upon is observed and unless both the Japanese and Chinese nations exercise at this time the utmost self restraint. I am urging this also upon the Japanese Ambassador and the Chinese Chargé here.

STIMSON

793.94/2033 : Telegram

The Chargé in Japan (Neville) to the Secretary of State

TOKYO, October 10, 1931—6 p. m.

[Received October 10—9:50 a. m.]

180. 1. The Minister for Foreign Affairs has just told me that the bulletin issued by the General Staff was not a Government pronouncement. He then said that two days ago the Chinese Minister had addressed a note to him suggesting that Chang, the Governor of Kirin, and Wang, the Governor of Hopei, should act as commissioners to restore peace and order in South Manchuria and take over the government of the places outside the railway zone occupied by the Japanese Army. This proposal he had not accepted for the reason that these two men were also generals in the Manchurian Army and Chinese soldiers had

turn the situation back to them would be merely to place matters as they had been before. He suggested to the Chinese Minister that night that, instead, independent commissioners be appointed on both sides to devise means for allaying the tension that existed; that they should lay down a general plan for settling outstanding troubles which would then be handled individually on their merits; the Japanese would prefer to deal with China as a whole and not with local matters. I asked him if this note meant that direct negotiations were started; he said that he hoped so and would make every effort to settle matters.

2. In reply to my question about the bombing of Chinchow he said that the military authorities had reported as follows: Information had reached the commanding general that there was a large concentration of Chinese troops in that vicinity and Japanese Army planes had been sent to make a reconnaissance. They had been fired at by the Chinese troops and had replied by dropping bombs on the barracks. He minimized the affair stating that it was of no importance.

3. I made no comment on the information he gave me. I felt that the suggestion of direct negotiations was an indication of improvement in the situation. I shall keep in touch with events and report further. Repeated to Peiping.

NEVILLE

94/2048

Memorandum by the Secretary of State

[WASHINGTON,] October 10, 1931.

The Japanese Ambassador came in and I told him that I was very profoundly disturbed at the situation which had developed in Manchuria. I told him that in considering the original coup of September 18th in Manchuria, I had been reassured, not only by the Ambassador's explanation that this did not represent his government, but by the Resolution of September 30th of the League of Nations, which both China and Japan had consented to, under which the Japanese were to withdraw as soon as possible into the railway zone and the Chinese were to protect Japanese nationals. I read him the provisions. I said that now events have occurred which indicated that these commitments were likely to be repudiated. I referred to the bombing of Chinchow and I referred to the statement of the General Staff that they would not withdraw to the railway zone. I then read to the Ambassador the questions which I had telegraphed to Baron Shidehara through Neville,³⁴ and he asked me if I had received an answer.

ment of Baron Shidehara that the affair of the bombing was a matter of no importance. The Ambassador did not attempt to defend that. He said at once that it was a matter of great importance. I said it was a matter of great importance in this country. I pointed out that Baron Shidehara's objection to Chang, the Governor of Kirin, and Wang, the Governor of Hopei, had given me the unfortunate impression that Baron Shidehara did not differ from the accounts that were appearing in the press to the effect the army made up his mind not to permit the resumption by the young Marshal Chang of the government which he had formerly exercised in Manchuria and I pointed out that this seemed to me to be a complete departure from the policy of the Resolution of September 30th. The Ambassador said he could make no answer to this, but he was quite sure that Baron Shidehara did not minimize the bombing incident or regard it as of no importance. I then read to him the article by Hugh Byas in the *Times*, reporting that the Cabinet had met yesterday and substantially indicated that they regarded it as of not sufficient importance to resign. I asked him to convey to Baron Shidehara my position as above stated and I resummarized it to the effect that I had been reassured by the commitments of the Resolution of September 30th, and I was now greatly disturbed by these events, including Baron Shidehara's answer to my questions, as well as the other news from Manchuria which indicated that those commitments were going to be violated. He said he would report that to Baron Shidehara and begged me not to do anything in the meanwhile. I said I could make no such commitment—that I must retain full liberty of action, as matters were changing too rapidly. I told him that the League was going to meet next week and that we should undoubtedly follow the policy which we had already initiated of cooperating with the League on this matter.

H[ENRY] L. S[TIMSON]

793.94/2033 : Telegram

The Secretary of State to the Chargé in Japan (Neville)

WASHINGTON, October 11, 1931—7 p. m.

194. Your 180, October 10, 6 p. m. You will thank the Minister for Foreign Affairs for his reply to my questions. You will say to him in respect to his answer to the second question.

"The Secretary of State cannot understand how the bombing of Chinchow can be minimized or how it can be said to be of no importance. The explanation given by the Japanese Military authori

These have an entire right to maintain troops. The Secretary of State is at a loss to see what right Japanese military planes had to fly over the town, thereby provoking attack, and to drop bombs. Casualties among civilians have been asserted by the Chinese to have taken place. Bombing of an unfortified and unwarned town is one of the most extreme of military actions, deprecated even in time of war. The Japanese military authorities are quoted in usually reliable press sources as asserting that this attack on Chinchow was intended to prevent Marshal Chang from establishing his new capital at that place and resuming his authority in Manchuria.

Both of the foregoing reasons given in explanation of this attack would appear quite at variance with the commitments undertaken by the Japanese Government in respect to the resolution of September 24 of the Council of the League of Nations.

The Secretary of State is thus constrained to regard the bombing of Chinchow as of very serious importance and he would welcome further information from the Minister for Foreign Affairs which would throw light on it."

You may leave a memorandum of this statement with the Minister for Foreign Affairs.

STIMSON

44/2057 : Telegram

The Charge in Japan (Neville) to the Secretary of State

TOKYO, October 12, 1931—10 a. m.
[Received October 12—3:57 a. m.]

82. Department's 191 [192], October 10, 2 p. m. I saw the Minister for Foreign Affairs and read the message it contained. He asked for a copy which I gave him. He told me that he had received a telegram from the President of the Council of the League which I read to me.⁸⁶ It was similar to the message I was instructed to deliver. He stated that he was replying to it Monday or Tuesday the latest and would give me a copy; the reply will also be given to the Ambassador in Washington I understand.

The Minister then said that the British and French Ambassadors had called on him and delivered messages similar to mine and to that of the President of the Council of the League. He spoke very frankly to me and said that in his judgment the affair would drag as long as the Chinese could avoid direct conversation; that as far as he could see it was the record of the Shantung negotiations over which; after the ratification of the Versailles Treaty the Japanese had notified the Chinese that they were prepared to open negotiations for the rendition of Tsingtau and the railway to China; the Chinese

culty by direct conversations between the Japanese and Chinese representatives.³⁷ He said that the present matter could be speedily settled between them if direct negotiations could be inaugurated; that so long as the Chinese have any encouragement to believe that some pressure can be brought to compel the Japanese to yield in the present situation they will evade any negotiations. He said the Japanese obligation to withdraw within the railway zone was contingent upon the Chinese ability and willingness to safeguard the lives and property of Japanese subjects lawfully in the country; that the Chinese have made no effort to respect the lives and property of the Japanese; that in some cases it might be difficult for the Nanking Government to fulfill their obligations, but that the lower Yangtze Valley was in their power and the Japanese residents fared worse than in many other places. In such circumstances he said that the Japanese could not withdraw their forces, and until an indication is given that the Chinese intend to safeguard Japanese lives and property in fact as well as in name, he did not see what could be done; all these matters would settle themselves if the Chinese were made to realize that they have no chance of settlement except by direct negotiations; once that is made clear to them, the irresponsible agitation by students and professional politicians will die down because the Kuomintang will have no chance to make domestic political capital out of baiting the Japanese. He said that in the meantime Japan would exercise extreme forbearance and not provoke any trouble. I said that the Chinchow incident had aroused much comment. He had nothing [more?] of importance on this point he said than he had told me before.

I am pretty well satisfied that the statement I made in my 162³⁸ is still correct: direct conversation between the Chinese and Japanese is the only way out, because the Japanese for the present will not welcome interference by any third party.

Repeated to Peiping.

NEVILLE

793.94/2074

Memorandum by the Secretary of State

[WASHINGTON,] October 12, 1931.

The Japanese Ambassador said he came to bring me Baron Shidehara's reply to my message to him of Saturday, October 10th. (See *aide memoire* that date.³⁹) It was as follows:

³⁷ For papers relating to this subject, see *Foreign Relations*, 1921, vol. I, pp. 552-553.

Officer, commanding in Manchuria, was not in a position to take charge of diplomatic negotiations; and that such a question as the recognition of Marshal Chang's authority in Manchuria was a question for the Imperial Japanese Government.

Second: It was very far from Baron Shidehara's real thought to minimize the bombing at Chinchow; that all he wished to express was that the bombing was an isolated military action which did not reflect the real attitude of the Japanese Government.

Third: Baron Shidehara wished Ambassador Debuchi to assure me that the fixed policy of Japan towards China will not be influenced by new incidents caused by Japanese military officers in Manchuria, such incidents might be merely the result of temporary states of mind on their part.

Fourth: Baron Shidehara has entirely approved Ambassador Debuchi's explanation of the Japanese memorandum to China (a copy of which was left by Debuchi at Mr. Castle's home the other evening⁴⁰), which was to the effect that this memorandum was merely a cautionary measure and could not be construed as an ultimatum as evidence of aggressive action on Japan's part.

After conveying these messages, the Ambassador made some personal observations. One was to the effect that the position of the Japanese Cabinet is very difficult; that Shidehara is responsible to the Cabinet and to Parliament and for that reason it was very difficult for Shidehara to say whether he approved or disapproved the action of the Japanese military in Manchuria or of the act of Japanese airplanes in bombing Chinchow.

I replied that I understood Mr. Shidehara's position. I said that my attitude towards him personally was not modified by the fact that he did not seem to be able to control his general officers, but that on his part he must remember that I faced the fact that these actions by the general officers may affect the safety of the world and must govern my action accordingly. As the Ambassador left I told him that the important thing I wished him to convey to Baron Shidehara was that the situation in Manchuria was regarded here as most serious, both by our government and the American people, and there should be no mistake about that. I then told Debuchi that I was going to authorize Gilbert to sit with the Council of the League of Nations, if invited, in their discussion on any matters that related to treaties of which we were a party. I told him my reason was that both for the sake of the effect on the world at large and the relations of this country with Japan I wanted it to be clear that we stood not alone vis-à-vis Japan but with the other nations of the world.

H[ENRY] L. S[TIMSON]

*Memorandum by the Under Secretary of State (Castle) of a
Conversation With the Japanese Ambassador (Debuchi)*

[WASHINGTON,] October 14, 1931.

The Ambassador said that he wanted to tell me in a very confidential manner the bases on which Baron Shidehara would like to have direct negotiations with the Chinese. He said that Baron Shidehara had not expressed these various points directly in his talk in Tokyo with the Chinese Minister, but that he had undoubtedly indicated his policy. He said that although these five points would probably leak out in Geneva they were for the moment entirely confidential. Baron Shidehara would like to have direct negotiations with the Chinese based on the following points:

1. Mutual declaration of non-aggressive policy or action in Manchuria.
2. Mutual engagements to suppress hostile agitation.
3. Reaffirmation by Japan as to the territorial integrity of China, including Manchuria.
4. Japanese subjects in Manchuria to be sufficiently protected by the Chinese when carrying on their peaceful and legitimate proceedings.
5. Arrangements to be reached between Japan and China for the prevention of ruinous railway competition and for the carrying into effect of existing railway agreements.

Mr. Debuchi pointed out that these five points were all included in present treaties.

W[ILLIAM] R. C[ASTLE,] Jr.

793.94/2176

*Memorandum by the Under Secretary of State (Castle) of a
Conversation With the Japanese Ambassador (Debuchi)*

[WASHINGTON,] October 14, 1931.

The Ambassador asked me whether I knew what the proposal of the League would be in the Manchurian matter. I told him that I could not possibly have any more idea as to this than he had. He said that he was afraid that the League would insist or try to insist on a neutral commission; that this would be taken in Japan as an affront to the national honor and that it could not possibly be accepted by his Government.

He said that his Government, according to the morning paper, has at last become united and that he takes as very important the

it exists, but that the statement of the Minister of War showed that calmer counsel had prevailed. He said that certainly the civil element of the government, as well as the military would oppose any order from the League to submit to a neutral commission. He said that it was feared furthermore that the League might ask a definite promise from Japan immediately to withdraw its troops to the railway zone or to do so within a specified number of days. He said that he felt that to sign a blank check of this kind might be possible.

In considering these possibilities he said that his mind reverted more and more to the Shantung negotiations in Washington and that he felt something along these lines might create a way out of the situation. He referred to Article 3 of the Shantung treaty,⁴¹ which established a joint Chinese-Japanese Commission for the withdrawal of Japanese troops in Shantung and to Article 10 which stated that Japanese troops would be out of Shantung, if possible, within three months and certainly within six months. He said that during the illness of Baron Shidehara he had himself sat in the negotiations which resulted in the treaty and that he had also been on the Chinese-Japanese Commission which brought about the evacuation of Shantung. He said that he believed a suggestion on the part of the League for similar negotiations in the present instance might be successful. I pointed out that in what he had said he had omitted one point. This was, that the Chinese were brought to accept direct negotiations on the understanding that neutral observers would be present. I said that a similar case might arise if the League should make the suggestion today and asked him whether Japan would be willing to carry on such negotiation in the presence of observers. He said that that was a point which he had been studying very carefully; that at the time of the Washington Conference Japanese public opinion had been so excited over all the other questions which were being discussed, that the Shantung question was more or less incidental and that, therefore, the question of observers had not made any particular impression in Japan; that at the present time the entire Japanese nation was thinking about the Manchurian affair and that to accept observers in direct negotiations might be a hard thing to swallow. I told him that I recognized this but that I nevertheless felt that whatever decision was arrived at, it would inevitably be a compromise and the giving up by both parties of something which they wanted. If in this case China wanted a neutral commission that it would be a far greater thing for China to give up

be for Japan to add observers to direct negotiations. The Ambassador said that he fully realized this and that he believed there was real possibility that a solution could be worked out along these lines. He said, however, that the quality of the observers would be very important; that the League of Nations meant nothing to the Japanese and that they would not be interested in observers appointed by the League of Nations, whereas they felt that observers in Washington in 1922, representing Great Britain and America, really meant something. (The fact that Baron Shidehara brought up the Shantung negotiations with Mr. Neville more or less incidentally⁴² and that that has been followed here by a very much fuller explanation on the part of the Ambassador, would suggest to me that this is obviously the line on which Japan is thinking.)

W[ILLIAM] R. C[ASTLE,] Jr.

793.94/2209

Memorandum by the Secretary of State

[WASHINGTON,] October 16, 1931.

The Japanese Ambassador had come to see Mr. Castle but as Mr. Castle was engaged and I was free, I saw Mr. Debuchi. He told me that the Council had voted to invite the United States to participate in the discussion of the Kellogg Pact and he did not know what had happened after that. I told him that I had talked with Mr. Gilbert on the telephone and I knew; that the invitation had been extended and that it had been accepted at 5:00 o'clock and Mr. Gilbert had sat in the Conference at 6:00 o'clock, and that the opening speeches had been interchanged.⁴³ He said that personally he was very glad. He said that the objections by his country had been made only on juridical grounds. I told him that in spite of that last fact, the fact that Japan had opposed the invitation to us⁴⁴ and that on the same day a spokesman of the Foreign Office at Tokyo had made the statement which he had made yesterday, would certainly lead the whole world to believe that Japan did not wish us to sit and that our two countries were arrayed against each other. I said I was very sorry over this for it undid everything that I had been working for since September and I thought it would also undo much that the Ambassador and I had been working for during the past two years. He said he knew that, it was true, and he felt very sorry. I then said that in accepting the invitation of the League

⁴² See telegram No. 182, Oct. 18, 1931, from the Secretary of State to the President.

personal issue between Japan and America which would otherwise appear in case the Kellogg Pact were invoked by us in America instead of its being done by the group of nations in Geneva. The Ambassador got the point at once and immediately said he had felt along that that was my purpose. I reminded him that I had been asking from the beginning to have Japan and China get an opportunity to settle this by direct negotiation. He said he knew that. I told him that neither the President nor I could understand this action of the Foreign Office spokesman yesterday and we did not see how Mr. Shidehara could have done it. He again said, as he had said yesterday, that he felt certain the spokesman had made a mistake. I told me that he had sent a very long telegram yesterday expressing his views strongly against what had been done in Tokyo. He told me that the press had had a flash that immediately after the receipt of the telegram the Cabinet at Tokyo had gone into session, but he said he had received no news of what they had done.

H[ENRY] L. S[TIMSON]

4/2245a : Telegram

The Secretary of State to the Chargé in Japan (Neville)

WASHINGTON, October 20, 1931—2 p. m.

00. Please deliver to the Minister for Foreign Affairs immediately, by note, the text which follows. Inform him that an identical note is being communicated by the American Minister to China to the Chinese Acting Minister for Foreign Affairs.

Text:

The Government and people of the United States have observed with concern the events of the last month in Manchuria. When the difference between Japan and China came to a head on September 18, one of the parties to the dispute referred the matter to the League of Nations and since that time the American Government by representations through diplomatic channels, has steadily cooperated with the League in its efforts to secure a peaceful settlement. A threat of war, wherever it may arise, is of profound concern to the whole world and for this reason the American Government, like other Governments, was constrained to call to the attention of both disputants the serious dangers involved in the present situation.

This Government now desires, as do other signatories of the Treaty of the Renunciation of War, particularly to call to the attention of the Japanese and the Chinese Governments the obligations which they voluntarily assumed when they became parties to that Treaty, especially the obligations of Article II, which reads:

which might lead to war and that they will find it possible in the near future to agree upon a method for resolving by peaceful means, in accordance with their promises and in keeping with the confident expectations of public opinion throughout the world, the issues over which they are at present in controversy."

STIMSON

793.94/2317 : Telegram

The Chargé in Japan (Neville) to the Secretary of State

TOKYO, October 24, 1931—9 a. m.

[Received October 24—4:10 a. m.]

193. The Department's 200, October 20, 2 p. m. I have received the following note from the Minister for Foreign Affairs:

"I have the honor to acknowledge the receipt of your note of October 21 in which, under instructions of your Government, you were so good as to call the attention of the Japanese to the obligations assumed by Japan as a signatory of the Treaty for the Renunciation of War.

The Japanese Government highly appreciate the sympathetic concern of the American Government in the maintenance of international peace. Their position bearing on the stipulations of the treaty in question is set forth in the accompanying statement. Entertaining the same earnest hope expressed in your communication under review, the Japanese Government remain unshaken in the belief that a method for resolving by pacific means their present difficulties with China will soon be found upon direct negotiations between the two disputants in the spirit of mutual good will and helpfulness".

The accompanying statement is as follows:

"1. The Japanese Government realize as fully as any other signatories of the Pact of Paris of 1928, the responsibility incurred under the provisions of that solemn pact. They have made it clear on various occasions that the Japanese railway guards in taking military measures in Manchuria since the night of September 18 last have been actuated solely by the necessity of defending themselves, as well as of protecting the South Manchuria Railway and the lives and property of Japanese subjects, against wanton attacks by Chinese troops and armed bands. Nothing is farther from the thoughts of the Japanese Government than to have recourse to war for the solution of their outstanding differences in China.

2. It is their settled aim to compose those differences by all pacific means. In the note of the Japanese Minister for Foreign Affairs to the Chinese Minister at Tokyo, dated October 9,⁴⁵ the Japanese Gov-

⁴⁵ For text, see memorandum from the Japanese Embassy to the Department of State, p. 15.

the present difficulties. They still hold the same view. So far as they are concerned, they have no intention whatever of proceeding any steps that might hamper any efforts intended to assure the amicable settlement of the conflict between Japan and China.

On the other hand they have repeatedly called the attention of the Chinese Government to the organized hostile agitation against Japan now in progress in various parts of China. The suspension of all commercial intercourse with Japanese at present in China is in no sense a spontaneous act of individual Chinese. It is enforced by anti-Japanese organizations that have taken the law into their own hands, and are heavily penalizing, even with the threat of capital punishment, any Chinese who may be found disobeying their arbitrary decrees. Acts of violence leveled against Japanese residents also continue unabated in many places under the jurisdiction of the Government of Nanking. It will be manifest to all fair observers of the actual situation that those activities of the anti-Japanese organizations acquiesced in by the Chinese Government as a means to attain national ends of China. The Japanese Government desire to point out that such acquiescence by the Chinese Government in the lawless proceedings of their own nationals cannot be regarded as being in harmony with the letter or the spirit of the stipulations contained in article 2 of the Pact of Paris."

Repeated to Peiping.

NEVILLE

*Resolution Voted Upon by the Council of the League of Nations on
October 24, 1931*⁴⁸

The Council,

in pursuance of the resolution passed on September 30th;

Noting that in addition to the invocation by the Government of China, of Article 11 of the Covenant, Article 2 of the Pact of Paris has also been invoked by a number of the Governments;

(1) Recalls the undertakings given to the Council by the Governments of China and Japan in that resolution, and in particular the statement of the Japanese representative that the Japanese Government would continue as rapidly as possible the withdrawal of its troops into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured, and the statement of the Chinese representative that his Government will assume the responsibility for the safety of the lives and property of Japanese nationals outside that zone—a pledge which implies the effective protection of Japanese subjects residing in Manchuria;

that they would refrain from any measures which might aggravate the existing situation, and are therefore bound not to resort to any aggressive policy or action and to take measures to suppress hostile agitation;

(3) Recalls the Japanese statement that Japan has no territorial designs in Manchuria, and notes that this statement is in accordance with the terms of the Covenant of the League of Nations, and of the Nine-Power Treaty, the signatories of which are pledged "to respect the sovereignty, the independence, and the territorial and administrative integrity of China";

(4) Being convinced that the fulfilment of these assurances and undertakings is essential for the restoration of normal relations between the two parties:

(a) Calls upon the Japanese Government to begin immediately and to proceed progressively with the withdrawal of its troops into the railway zone, so that the total withdrawal may be effected before the date fixed for the next meeting of the Council;

(b) Calls upon the Chinese Government, in execution of its general pledge to assume the responsibility for the safety of the lives and property of all Japanese subjects resident in Manchuria, to make such arrangements for taking over the territory thus evacuated as will ensure the safety of the lives and property of Japanese subjects there, and requests the Chinese Government to associate with the Chinese authorities designated for the above purpose representatives of other Powers in order that such representatives may follow the execution of the arrangements;

(5) Recommends that the Chinese and Japanese Governments should immediately appoint representatives to arrange the details of the execution of all points relating to the evacuation and the taking over of the evacuated territory so that they may proceed smoothly and without delay;

(6) Recommends the Chinese and Japanese Governments, as soon as the evacuation is completed, to begin direct negotiations on questions outstanding between them, and in particular those arising out of recent incidents as well as those relating to existing difficulties due to the railway situation in Manchuria. For this purpose, the Council suggests that the two parties should set up a conciliation committee, or some such permanent machinery;

(7) Decides to adjourn till November 16th, at which date it will again examine the situation, but authorises its President to convoke a meeting at any earlier date should it in his opinion be desirable.

GENEVA, October 26, 1931—5 p. m.

[Received 5:12 p. m.]

59. The following is a brief summary of the chief elements of the action of the Council, as I see them, in regard to the Sino-Japanese conflict from its convening on October 13 to its adjournment on October 24.⁴⁷

. The Council convened on October 13, one day in advance of the date originally set, at the request of China based on an aggravation of the situation in Manchuria as shown notably by the bombardment of Peking.

. In spite of the strong opposition of Japan based ostensibly on technical grounds, the Council in a private session on October 15 decided to invite the United States to appoint a representative to sit at the Council table to take part in the discussions relating to the application of the provisions of the Pact of Paris to the situation in Manchuria and to follow the proceedings of the Council in regard to the controversy as a whole. On October 16 this decision was confirmed in a public session and on the same date the invitation was issued, accepted, and acted upon.

. As a result of the discussions on the Pact of Paris in which the representative of the United States took part, the Foreign Ministers of France, Great Britain and Italy sent identical notes by telegram on Saturday, October 17 at 10 p. m., through diplomatic channels to the Governments of Tokyo and Nanking invoking the Pact of Paris, in particular article 2 thereof. At the same time Germany and Spain decided to follow with similar action.

. From the very beginning of the Council's session convened on October 13, Briand,⁴⁸ taking as a point of departure the Council's resolution of September 30, carried on private negotiations with the disputants in an endeavor to reach a satisfactory compromise. With the assistance of a few members and Drummond and in consultation from time to time with all the members of the Council, except the disputants, in a private session, Briand continued these negotiations from hour to hour and from day to day up until a few minutes before the last meeting of the Council on Saturday, October 24, 6 p. m. In the meanwhile the Council in its private meetings prepared a resolution frequently modified in accordance with the progress of negotiations

For minutes of the proceedings, see League of Nations, *Official Journal*, September, 1931 pp. 2309-2362.

representing the unanimous views of the Council members, with the exception of the disputants, in regard to what was considered just and right in the circumstances.

5. It soon became evident in the course of the negotiations that the Chinese position presented less difficulty than that of the Japanese, since the former was more conciliatory and seemed to be readily adaptable to the terms and spirit of the Council resolution of September 30. Briand's chief concern therefore was to obtain from the Japanese an exact statement of their demands, and subsequently to induce them to modify those demands to meet the minimum demands of China and so as to conform to the spirit of the Council's resolution of September 30. It was felt that this resolution which formed the basis of the Council's negotiations could not be abandoned, not only because this would have meant a loss of ground, but also because as a result Chinese public opinion would have probably forced China to go to war.

There was in existence at one period a draft interim resolution (the purport of which has been reported to you ⁴⁹) upon which for a short time negotiations with Japan were based. Certain features of this were framed with a view to meeting more nearly Japan's general demands. Upon Japan's refusal of this resolution, however, it seemed desirable to withdraw these concessions and to go back in spirit to the terms of the September 30th resolution in order that there should be no sign of the Council weakening in its position without tangible results being obtained thereby. There was moreover always a question as to whether China would have accepted this interim resolution.

The Japanese position was not made clear even to Briand until after long delay. Only after the negotiations were well under way were Briand and Drummond informed in strict confidence that the Japanese demanded as a preliminary to evacuation an agreement with China through direct negotiations on certain points (reported in a previous telegram ⁵⁰) which Japan stated were essential in order to guarantee the safety of Japanese lives and property. It was evident to Briand that the crucial point of these demands did not involve simply measures connected with "immediate security" as envisaged by the Council resolution of September 30th, but related to a general settlement of problems of a more permanent nature between China and Japan in Manchuria including particularly questions connected with the South Manchurian Railway. The acceptance of this demand would have signified an acquiescence in the occupation of Manchuria

⁴⁹ Telegram not printed.

⁵⁰ Not printed. See the memorandum by the Under Secretary of State of a conversation with the Japanese Ambassador, October 14, 1931, p. 24.

the been rejected not only by the Chinese but also by the Council representing a complete abandonment of its resolution of September 11. Briand was obliged therefore to bend his efforts towards obtaining from the Japanese the abandoning or at least a very substantial modification of their demands. Realizing that it would be easier for the Japanese to do this if they could negotiate with him in private without being embarrassed by commitments made in public in which it would be difficult to recede, Briand did not urge them to divulge the nature of their demands to the other members of the Council and also refrained from calling public meetings of the Council and even reduced the number of private meetings as far as he could without giving rise to discontent among the smaller states represented at the Conference. It was only after every effort to bring about a solution in private had been exhausted that he finally convened a public meeting on October 22 at 4 p. m. This action was taken as a last resort:

- 1) In the hope that in the face of public opinion the Japanese would become more conciliatory, and,
- 2) Because after these long and apparently fruitless negotiations public and particularly the press was becoming impatient and suspicious.

In a series of four public meetings efforts were made to induce a Japanese representative to abandon or at least to define what he meant by the "fundamental principles" concerning which he insisted on having an agreement with China prior to evacuation. All efforts in this direction having failed, the Council on October 24 voted unanimously with the exception of Japan in favor of the resolution adopted in the Consulate's 242, October 22, 6 p. m.⁵¹ Since in matters brought before the League under article 11 of the Covenant, complete unanimity is required for a resolution to go into effect, this resolution can only serve as a record of what the Council with the exception of Japan considers to be just and right in the premises. Technically, therefore, the situation is the same as that which existed at the close of the Council session of September 30. In reality however the situation changed to this extent:

- a) The members of the Council other than Japan have expressed definite terms their will that the evacuation be completed before the next meeting of the Council fixed for November 16;
- b) The public opinion of the world as represented at Geneva seems to be unanimously in support of the Council's position;
- c) The responsibility for the present situation is in the public mind definitely fixed on Japan.

WASHINGTON, November 3, 1931—6 p. m.

217. Please read to and deliver to the Minister for Foreign Affairs immediately, as a memorandum, the text which follows:

"My Government acknowledges the receipt of the Japanese Government's note of October 24, 1931, in reply to its note of October 21, 1931.⁵²

My Government notes with satisfaction the reference of the Japanese Government to the Pact of Paris and the assurance that it is the settled aim of the Japanese Government to compose its differences with China by none but pacific means.

My Government notes also the statement that the Japanese railway guards in taking military measures in Manchuria since the night of September 18 last have been actuated solely by the necessity of defending themselves and of protecting the South Manchuria Railway and the lives and property of Japanese subjects against attacks by Chinese troops and armed bandits.

It is clear that the events of the last few weeks affect the rights and interests not only of Japan and China, but of the many nations which have relations with these two countries, and which are associated with both by ties of friendship and of reciprocal advantage as well as by the more formal ties of treaty relationship, and it is because of this that the United States, along with other nations similarly situated, has felt not only free but in duty bound to express its views.

From the information in its possession, my Government cannot escape the conclusion that in the efforts to protect the South Manchuria Railway and the lives and property of Japanese subjects against attack a situation has been created in Manchuria which gives Japan substantial control of Southern Manchuria and has, temporarily, at least, destroyed the administrative integrity of China in this region. On this my Government neither attributes motives nor passes judgment, but desires solely to point out the fact.

It appears to my Government that there are two separate and distinct points to be considered. First, the peaceful solution of the present unfortunate situation in Manchuria, and, second, a solution through direct negotiations of the various matters at issue between Japan and China arising from misunderstanding as to the respective rights of the two nations as claimed under various treaties.

With regard to the first point, my Government cannot escape the conclusion that effective withdrawal of the Japanese troops within the railway lines would destroy the idea, either on the part of China or of outside nations, that Japan intends to use military pressure to bring about a settlement of the broader issues. That it is not the Japanese Government's intention thus to exert pressure has already been clearly indicated in the statement issued by the Japanese Government in Tokyo on October 27 [26].⁵³ It is further the belief of my Government that

⁵² See telegram No. 193, Oct. 24, 1931, from the Chargé in Japan, and telegram No. 200, Oct. 20, 1931, to the Chargé in Japan, pp. 28 and 27.

⁵³ League of Nations, *Official Journal*, December, 1931, p. 2514.

This can be safely accomplished in the present emergency, would inevitably create a more favorable atmosphere in which negotiations may be carried on, and would also constitute an impressive demonstration to the world of Japan's often repeated assertion that it has no territorial ambitions in Manchuria and that it intends strictly to abide by the treaties guaranteeing the administrative integrity of China and providing for the settlement of all controversies solely by pacific means.

It is in the light of the above that my Government has noted with regret and concern that at the meeting of the Council of the League of Nations, the representative of the Japanese Government should have insisted that these broader matters, which would seem to have a direct bearing on the immediate situation, should be discussed and be disposed of by negotiations between Japan and China in advance of the withdrawal of Japanese troops from the points of occupation outside the railway zone.

As to the second point, the settlement of the broader issues involved in the treaty rights, my Government is in complete sympathy with the desire of the Japanese Government to obtain a solution which will be satisfactory to both parties and which, being so, would give promise of permanence. It cannot bring itself to feel, however, that the solution of these broader issues should be made a condition precedent to the solution of the present situation in Manchuria. My Government further takes occasion to state that if negotiation of these broader issues, subsequently undertaken, should not eventuate in a conclusion acceptable to both parties, there exist numerous methods or agencies for arbitral, conciliatory, or judicial settlement, which might be invoked by Japan and by China, including methods or agencies in the creation of which both countries have participated. Recourse to one or another of these might not only facilitate arrival at an equitable settlement but would result in the assurance to both the Japanese and the Chinese Governments that the settlement so arrived at would enlist the approval and support of public opinion throughout the world.

My government finds confirmation of its views as expressed above in the scrutiny of the position taken by the Council of the League of Nations as expressed in the resolution adopted by the Council on September 30 and in the draft resolution upon which thirteen members of the Council gave affirmative vote on October 24. My Government hopes that the Japanese Government will find it possible to share the view of those nations that negotiations looking to the settlement of outstanding issues between Japan and China ought not be made a condition precedent to the evacuation of the occupied positions and so doing avail itself of the opportunity presented to refute conclusively any implication that exertion of military pressure was in any way intended to affect the process of arriving at a settlement of the points at issue. My Government confidently hopes that both Japan and China will be guided by the spirit of the resolutions above referred to and will make every possible effort to follow a course consistent therewith."

STIMSON

[Paraphrase]

WASHINGTON, November 5, 1931—11 a. m.

219. Embassy's 204, November 4, 5 p. m. and last paragraph of our 218, November 4.⁵⁴

1. With reference to the points made by you, and for the information and further guidance of the Embassy, you will remember that while reserving my right of complete independence of action I have undertaken to reinforce as far as may be practicable the action taken by the League.

The probability that Japan will be unable to withdraw its forces from Manchuria by the date specified in the October 24 resolution of the Council is a fact concerning which I have no misapprehension. The terms of the resolution you will note have not received unqualified endorsement on my part; and as for a date, I have deliberately refrained from mentioning one. It is my opinion, however, that a sincere effort to offer a constructive contribution was made by the League, and I cannot forget the fact that the representatives of China and Japan in the resolution of September 30, which was adopted unanimously, made definite commitments for their respective Governments. There should not be as a requisite precedent to the withdrawal of Japanese armed forces the settlement of long outstanding issues; and the Japanese Government should not avail itself of the presence of those armed forces as an instrumentality for bringing pressure to bear upon China in the negotiations. We regard this as fundamental, and it is the point on which we associate ourselves with the action of the League.

As for public opinion in Japan, I realize the force of what you report. At the same time, however, I am of the impression that, while this public opinion is not entirely within the determination of the Japanese Government, in no small measure it is susceptible of being influenced and guided by the Government of Japan. It is my belief that there is not any government which is attempting to injure Japan. The various governments are trying to give due consideration and weight to a wide range of factors, very considerable in number, with regard to the situation which is of concern to the whole world.

Evidence exists that Japan has from the beginning attempted to prevent cooperative or concerted action by the United States Govern-

⁵⁴ Neither printed

ment and the Governments which are League members. Japan has also attempted to create the impression that there is a difference in objective between the United States and the members of the League. My objective and that of the Council are identical. It is to prevent war and to seek to bring about a solution by peaceful means. We stand for the same principles. It is imperative that this should be understood. So far I have refrained from passing judgment, and throughout it is my desire to maintain an attitude of impartiality. Between Japan and China I have no desire to take sides. However, when, with regard to fundamental considerations in connection with which the interests and obligations of the United States are similarly involved, 12 other nations have indicated that they disagree with Japan, I do not intend to remain inactive and aloof, leaving to the others the whole burden of action. The implication of silence on the part of the United States would be that we were taking sides with Japan contra the views expressed by the others.

2. Strictly confidential, for your information. Through the French Ambassador here, I am bringing to the attention of M. Briand, President of the Council—simultaneously transmitting to him my views as expressed in the memorandum to the Japanese Government,⁵⁵ and in connection with the suggestion made in that memorandum that there are several agencies and methods for relieving tension and achieving a peaceful settlement which might be invoked—a suggestion that the impasse might be resolved by resorting to the method of direct negotiations on the part of the two Governments in the presence of neutral observers, as was done in connection with the Shantung question. This is in line with a thought which I understand already to have been in the minds of both the Chinese and Japanese Governments and of M. Briand. It is my hope that the Japanese Government sooner or later will make a definite proposal of this sort.

3. To summarize, while the view of this Government has been associated by me with that of the League in relation to a point which in my opinion is fundamental and against which Japan cannot hold out without forfeiting the good opinion of the whole world, my views have been expressed moderately and in terms which have been conciliatory. At the same time in order to avoid a deadlock I have suggested to the President of the Council a method which is possible and seems to me to be practicable.

STIMSON

⁵⁵ See telegram No. 217, Nov. 3, 1931, to the Chargé in Japan, p. 34.

TOKYO, November 6, 1931—3 p. m.
[Received November 6—8:35 a. m.]

209. My 206, November 5, 4 p. m.⁵⁶ In the presentation of the memorandum to Baron Shidehara I had a long and friendly interview in which the problems were very frankly discussed and the Japanese position fairly clearly set forth. He requested me to reply that the memorandum would receive the most earnest consideration from himself and his Government. He outlined the Japanese position which was:

That before the withdrawal of troops they wanted an agreement between the Chinese and Japanese, binding on both, affirming the following five general principles:

1. No aggression on the part of either country against the other.
2. Obligating each country to respect the integrity of the territory of the other.
3. Agreement on the part of the Chinese Government to prevent the enforcement of boycott by violence, and freedom on the part of Japanese and Chinese citizens to carry on their trade wherever they pleased and without intimidation. (He recognized the right of individuals to conduct a boycott by discontinuing purchases or trade relations when and where they pleased.)
4. Protection of lives and property of Japanese and Koreans resident in China. In this connection he said immediate or early withdrawal of troops until these points were agreed upon would result in general disorder and acts of violence against the Japanese and Koreans in Manchuria who would, he feared, be practically driven out.
5. Recognition and reaffirmation of treaty rights.

He expressly excluded from these problems to be settled before withdrawal any of the details and points, numbering several hundred, resulting from injuries, destruction of property, acts of violence or violations or evasions of treaty obligations.

I pointed out to him the emphasis laid by my Government upon the importance of not having these agreements reached under military pressure and that while the troops were in occupation military movements and engagements were of more or less daily occurrence, they could not deny that military pressure was being exerted. He was however firm in the position that if the fundamental principles were agreed upon withdrawal would promptly follow.

It is the opinion of Mr. Neville, our Military and Naval Attachés, and some close observers that there is grave danger of the militant

⁵⁶ Not printed; it reported that the memorandum set forth in Department's telegram No. 817, Nov. 2, 1931, had been delivered to the Japanese Minister for Foreign Affairs.

793.94/2585

*The Japanese Embassy to the Department of State*⁵⁷

The Japanese Government welcome the views of the American Government so thoughtfully expressed in the memorandum of the American Embassy of November 5 on the subject of the Manchurian incident.⁵⁸

In that memorandum, the attention of the Japanese Government is invited to the fact that "a situation has been created in Manchuria which gives Japan substantial control of Southern Manchuria and has temporarily, at least, destroyed the administrative integrity of China in that region."

It is evident that shortly after the military action taken by the Japanese railway guards along the South Manchuria Railway to defend themselves as well as to protect the railway and the lives and property of Japanese subjects against attacks of the Chinese armed forces, the Chinese authorities in the affected districts have practically ceased to function. In consequence, the Japanese military authorities were obliged to undertake for some time the duty of maintaining peace and order in such districts.

Recently, however, local committees for the preservation of peace have been set up in various places by resident Chinese, and have organized a police force for that purpose. In the city of Mukden, for instance, the Chinese committee has under its direction and control 4,000 police officers and men. Those local bodies for the maintenance of public order serve to lighten the police functions of the Japanese troops, and are, as such, favorably received by the Japanese Government. Should they prove themselves effective to assure a reasonable degree of security in the respective districts, and to afford adequate protection to foreign residents, the Japanese troops will be ready at any time to withdraw to the Railway Zone.

The state of things now prevailing in Manchuria is certainly abnormal. But it is only temporary. Similar conditions occurred in Tsinan in 1928-9, when the Japanese forces were in occupation of that district, in order to protect Japanese residents against ravages of the Chinese troops. In no case have such military measures been inspired

⁵⁷This undated memorandum was left with the Secretary of State by the

memberment of China. It will be recalled that soon after the close of the Sino-Japanese war of 1894-5, a policy looking to the eventual "partition of China" appeared to be gaining ground in some quarters of the world. In the denunciation of such a policy, the United States, Japan and Great Britain were in complete accord, and their determination to respect the territorial and administrative integrity of China was affirmed in many of the diplomatic instruments signed by those Powers. The Japanese Government remain unchanged in their stand against the partition of China.

In the memorandum of the American Embassy under review, it is pointed out that there are two distinct points to be considered: first, the peaceful solution of the present situation, and, second, a solution through negotiation of the various matters at issue between Japan and China, arising from misunderstanding as to the respective treaty rights of the two nations. The memorandum then proceeds to conclude that a settlement of the various broader issues of the second point can not appropriately be reached until the first has been disposed of.

The Japanese Government feel that their position is virtually in harmony with that conclusion of the American Government. They have no intention of insisting on the final adjustment of the whole series of their controversies with China, as a condition precedent to the withdrawal of Japanese troops to the Railway Zone. Their efforts for the present are primarily directed towards the peaceful solution of the present situation. It is not, however, possible to hope, as things stand at this moment, that the recall of the Japanese troops now operating outside the Railway Zone would solve the existing situation. With the replacement of the Japanese troops by the Chinese, violent hostile agitation against Japan under the auspices, overt or covert, of the Chinese authorities would be set to work in Manchuria as in other parts of China. Japanese and Koreans carrying on peaceful pursuits in that region would once more be subjected to persecution and outrage as they have been for several years. All the treaty rights of Japan would be challenged and ignored, and the security of Japanese subjects would at once be menaced.

Such dangers would inevitably be involved in any premature withdrawal of the Japanese troops. In order to provide against those dangers, the Japanese Government have been brought to the conclusion that candid recognition, by an arrangement between Japan and China, of certain fundamental principles, the substance of which has already been communicated to the American Government, is of supreme importance. The principles which they have thus formulated are no more than those that are generally observed in practice in dealings

that an arrangement between Japan and China on those fundamental principles, affording as it will a measure of security for the lives and property of Japanese subjects, will pave the way for an early withdrawal of the troops to the Railway Zone.

They believe that the arrangement now indicated can not be regarded as solution of the various matters of the second point mentioned in the memorandum of the American Embassy, but that it is simply a process for the settlement of the first point. The whole Manchurian incident is an outcome of manifold and complicated events with historical background extending over more than thirty years. The Japanese Government hope that it will be appreciated that time and patience are needed for an adjustment of the problem.

793.94/2611a : Telegram

The Secretary of State to the Ambassador in Great Britain (Dawes)

WASHINGTON, November 10, 1931—8 p. m.

326. [Paraphrase.] With regard to our conversation this morning over the telephone, it is my desire that during the next few days you should be in Paris so that you may be available for conference with Monsieur Briand and possibly with the representatives of the other nations who are assembling on November 16 for the adjourned meeting of the League of Nations Council concerning the problem which has arisen out of the developments in, and in connection with, Manchuria. That you will find it necessary to attend the Council meetings is not anticipated. It is desired, however, that you be available for conference on matters which affect treaty rights and general interest of the United States, in view of the fact that the developments in Manchuria and the discussions which will take place in Paris will presumably involve matters pertinent thereto.

It is assumed that you know generally of the events in Manchuria and of the discussion which has occurred at Geneva and the action taken by the Council and by the American Government.

Your Government sees it as follows: The armed forces of Japan for practical purposes have in South Manchuria taken control of all important cities, the railway lines, the telephone, telegraph, radio systems, and some other public utilities, and have destroyed or seriously disrupted there the administrative machinery of the Chinese.

It is the contention of the Japanese Government that all measures taken have been necessary in order to protect the lives and property of Japanese subjects and to protect the South Manchuria Railway.

represented on the Council. On September 30, the Council unanimously adopted a resolution in which it was affirmed that Japan had no territorial designs on Manchuria; that Japan would withdraw its troops as rapidly as possible into the Railway Zone, in proportion as the safety of the lives and property of Japanese nationals was effectively assured; and that the Chinese Government would assume responsibility for the safety of Japanese lives and property as the withdrawal continued. The Council then adjourned, to meet on October 14.

When the Council met again on October 14 [13], no progress had been made in the matter of withdrawal. The Japanese military had somewhat extended its activities. It appeared that the question of invoking the Kellogg Pact must be dealt with. We authorized Gilbert to accept an invitation of the Council to sit with the Council as an observer, to take part in the discussions in so far as they might relate to the Kellogg Pact, but to participate in no discussions which did not relate to the Pact. He of course had no vote. The first result was a request by several governments represented on the Council to signatories of the Kellogg Pact to call attention to that treaty. The governments thus acting immediately sent notes to Japan and to China invoking that treaty, and several other governments, including the American, soon did likewise.

The Council continued in session and Briand, Reading,⁵⁹ Grandi⁶⁰ and others endeavored to persuade Japan and China to agree to a new resolution intended to hasten the resolving of the military situation and a solution by peaceful means. It became apparent, however, that, among other matters, Japan was now insisting as a condition precedent to withdrawal that China expressly confirm certain old treaties and treaty obligations which had been in dispute over a number of years. When it finally appeared that Japan insisted absolutely on that point, the Council drew up a resolution, which was voted upon affirmatively by all the representatives except the Japanese on October 24.⁶¹ This resolution, in view of the fact that the vote was not unanimous, lacks legal force. Its essential features were as follows: The points made in the September 30 resolution were reiterated. Japan was called upon to withdraw its forces before the next meeting of the Council on November 16. China was called upon to make arrangements for taking over the territory evacuated and to associate with

⁵⁹ The Marquess of Reading (Rufus Daniel Isaacs), British representative on the Council for the second part of the 65th session, October 13-24, 1931.

⁶⁰ Dino Grandi, Italian representative on the Council for the second part of

powers to follow execution of these arrangements. It was recommended that China and Japan appoint representatives to meet and arrange details of evacuation and taking over. It was recommended that as soon as the evacuation was complete China and Japan should begin direct negotiations and, if necessary, set up a committee of conciliation. The Council was to adjourn until November 16.

At the last meeting, the Japanese made a counter-proposal, which was not accepted.⁶² Examination of this and of subsequent statements of the Japanese Government⁶³ indicate that the real issue is as follows: The Japanese insist that before releasing the military grip which they have gained, matters of long-standing dispute between them and the Chinese shall be settled. These matters appear to include questions of validity of treaties which China disputes and details of interpretation of treaties which China does not dispute. The Chinese have stated in a formal note to the League that they regard themselves as bound by the League Covenant to a scrupulous respect for all treaty obligations and they have offered to submit to arbitration or judicial settlement.⁶⁴ They have not denied that they dispute the validity of certain treaties. It appears that at one point the Japanese stated that they would give the Council a list of the treaties for which they demand respect; but we are not informed that they have submitted such a list.

[Paraphrase.] Japan has not appeared to us to be justified in insisting that all these matters should be settled as a prerequisite to withdrawal; in fact, it has seemed to us that to insist thus would amount to exerting military pressure in order to bring about a settlement. In addition, we have taken the position from the outset that, while acting independently, we should endeavor, insofar as might be proper, to reinforce the League's action. Therefore, we stated to Shidehara in a memorandum left with him by Forbes, November 5,⁶⁵ that the use of military force in order to influence negotiations would be deprecated by us, and that our attitude was the same as that expressed by the Council in its resolutions; that is, withdrawal of Japan's forces should not be conditioned upon the settling of long-standing questions. Since we did not wish to give an opinion one way or the other concerning the wisdom of the Council's strategy in setting a date for the evacuation, we did not mention the date specified in the resolution.

Although, technically speaking, war has been avoided so far, these efforts seem as yet to have produced no very effective results. Realizing from the beginning that conflict in regard to policy existed within

⁶² See League of Nations, *Official Journal*, December, 1931, pp. 2346, 2358.

⁶³ *Ibid.*, pp. 2 14, 2516.

the gaining of uncontested control by the military element. China has also had her conflicts within, and it has been our hope that the Chinese would themselves view the situation and its requirements more realistically than they seem to have done so far.

We still feel that it should be possible for a method to be found for the peaceful settlement of this issue. Careful consideration should be given to the respecting by both China and Japan of the treaty rights between those two countries and those of other powers.

The disputants must be made to realize that we have no intention of taking sides as between them, nor do we intend to allow a line of cleavage to be created between us and the Council, since we feel that our objectives are the same: namely, to effect a peaceful settlement and prevent war. We can associate ourselves with the Council's efforts on behalf of peace although we cannot ally ourselves with it. The obvious fact that the whole world desires peace must be impressed on both the Japanese and Chinese.

In view of the above, it is my desire to send you to Paris and place you in close touch with the Council's leading members in order to add force to my efforts here along these lines. Leaving the lead to Briand, you should, in your discretion, contribute by your counsel to the search for a way of obtaining the agreement of China and Japan to some method of peaceful solution. I do not want us to push or lead in this matter; neither do I want the American Government to be placed in the position of initiating or instigating League action. I do desire that we confer with the principal Council members on this difficult problem of common concern and that our efforts shall be added to theirs.

My suggestion is that you feel your way cautiously. Notify me fully in regard to such possibilities as you may envisage, as well as in regard to actual developments.

I have in mind other possibilities which I shall indicate to you in a later telegram. [End paraphrase.]

STIMSON

793.94/2803

Memorandum by the Secretary of State of a Conversation With the Japanese Ambassador (Debuchi)

[WASHINGTON,] November 19, 1931.

The Ambassador said that he had come in to tell me that the Japanese forces at the Nonni River had been ordered to stand still, but having been attacked by the Chinese they had attacked in return and had driven the Chinese northward, and later that he had had a

in which this matter presented itself to my mind, and that it was as follows: That on September 18th the regular organized Chinese Government in Manchuria consisted of the government of the young Marshal Chang Hsueh-Liang; that this government had been recognized by the Central Chinese Government at Nanking and was the only regular government of Manchuria; that on that day and thereafter the Japanese army had attacked and destroyed the forces of Marshal Chang wherever they could find them and the only time they stopped attacking was when there were no Chinese forces to attack; that in this last instance, when a new force had cropped up in the extreme northern part of Manchuria, many hundreds of miles from the Japanese railway zone, the Japanese had attacked and taken Tsitsihar; and that I could not but regard this as a violation by the Japanese army of the provisions of the Kellogg Pact and of the Nine-Power Treaty.

I told the Ambassador that under these circumstances I must ask him to tell Baron Shidehara that I must reserve full liberty to publish all of the papers and documents which have passed between our two governments on this subject; that I did not intend to publish them at once necessarily, but that I must retain full liberty to do so. I told Debuchi that as he knew, for two months I had been preserving these papers in confidence in the hope of a settlement, so that it might not embarrass the Japanese Government or the chance of such a settlement. I told him that I had gone so far in this hope as to urge our press not to publish anything which would inflame American sentiment against Japan, but that now in the interests of the position of my own government I must reserve full liberty of action to make public the whole matter. He said he appreciated fully my position and they had no complaint to make of it. I told him further that there had been very unfortunate rumors coming from various sources in regard to my having assured Debuchi that the American Government would not support the League in its issue against Japan. I told Debuchi that I did not attribute these rumors to him, but that they were very false and very embarrassing, and I reminded him of how I had made it very clear that on the central point of the controversy between the League and Japan we fully sympathized with the League. I told him further that I had received word from Paris that yesterday Mr. Yoshizawa, in his speech before the League, had gone back to the most extreme contentions of Japan in regard to insisting upon ratification by China of these treaties before there was any evacuation by the Japanese troops; that Yoshizawa had even gone so far as to say that it would not be sufficient even to ratify the old

to my memorandum of November 5th.⁶⁷ Debuchi said he was very much surprised at this and that he thought there must be some misunderstanding. He asked me where I got the information. I told him that it had come direct from Paris through General Dawes and I was sure there was no misunderstanding because Yoshizawa had been cross-examined very carefully by Mr. Briand about his meaning. Debuchi was very much troubled. In closing, however, he said that he wanted me to know that whatever happened in the future, he knew that from the beginning my position had been perfectly fair and even friendly towards his government and that that was appreciated by Baron Shidehara; that Baron Shidehara's views had reflected themselves of late in the Japanese press, so that no matter what happened the record between him, Debuchi and me was clear. I told him that that was so and I had no complaints or criticisms as to the way he had conducted business with me, and in all respects he had been fair and friendly and accurate with me.

H[ENRY] L. S[TIMSON]

793.94/2865

Memorandum by the Secretary of State

[WASHINGTON,] November 21, 1931.

The Japanese Ambassador asked for an interview to communicate some very important matters from his government. When he came he told me that he had communicated to Baron Shidehara the message which I had sent the other day, in which I had summed up the situation as it existed after the capture of Tsitsihar, and that he had notified Shidehara that I must now reserve full freedom to publish every step that had been taken. The Ambassador said that he was now instructed urgently by Baron Shidehara to notify me of the following things:

One. That the Japanese Government was doing its utmost to conform to all of the friendly suggestions which had been made throughout this Manchurian matter by the American Government.

Two. That it was firmly determined to withdraw from the Tsitsihar region as soon as possible, and the Ambassador told me he had received in confirmation of this a direct message himself from the Consul at Cheng Chia Tun that two battalions of infantry and one company of artillery already had passed through there on their return from Tsitsihar.

Three. That General Honjo had been strictly instructed not to interfere with the civil government of Tsitsihar, and that the Assistant Chief of Staff of the Japanese Army, who was a very important

and had already arrived this morning at Mukden.

Four. That Baron Shidehara had instructed the Ambassador to say that the Japanese Government will strictly adhere to the outline of its Manchurian policy as stated in the memorandum which the Ambassador had handed to me on November 9th in answer to my memorandum of November 5th, and that I could rely upon its doing this no matter what news to the contrary I might receive from Paris. (This last remark related to the statement which Yoshizawa had made in Paris two days ago, about which I had reported to Debuchi for Shidehara on November 19th.)

The Ambassador then went on to report to me what he himself had learned from Paris, saying that he did this without the instruction of his government, but that he was in constant communication with Paris and that constant communications were passing between Paris and Tokyo. He asked me if I had heard of the proposals before the League which had come through Matsudaira.⁶⁸ I told him that General Dawes had informed me several days ago of a proposal which Matsudaira had suggested, which seemed to me entirely unsatisfactory. I said that this proposal in substance was that Japan and China, without even the presence of any neutral observers, should negotiate the various matters concerning evacuation and concerning the treaties or, in other words, matters in which Japan was on the defensive before the world, while at the same time he had proposed that a neutral commission should investigate the matters between China and Japan of alleged grievances against Japan where China was on the defensive. I said that, in other words Japan was unwilling to submit to neutral opinion even in the shape of observers in matters in which she was the defendant, while she was all ready to consent to a neutral investigation of matters in which China was the defendant, and that this, in my opinion, would not do at all or meet the proposition for which I had contended.

The Ambassador replied that I must have been entirely misinformed. He asked me if I had not heard of the proposals yesterday. I said that I had heard of them only through the press. The Ambassador said that Japan now had offered to the League to consent to a neutral commission to go to China, including Manchuria, to investigate all matters which were in controversy between China and Japan. I asked him whether by this he included all of the controversies which we had been discussing relating to the evacuation and to the treaties, and he said yes. He said that they only wished to have a high-class commission composed of men of standing in the world; that in September when the League proposed a commission of military attachés they had naturally objected, but now they were in favor of a neutral

that Japan and China should be represented on it. He said they at first proposed that, but the League had replied that that might prevent unanimity in its recommendations. He said that therefore they would be perfectly satisfied to have the Japanese and Chinese representatives go as adjuncts. I asked him point blank whether the Japanese Army authorities had been consulted. He replied that they had and had consented, and that steps were being taken to prepare public opinion to agree to the step. He said that Japan hoped to save its face by escaping the provisions of the League Resolution of October 24.

The Ambassador then went on to say that an armistice had been suggested, but that Japan had refused it because it would seem that that would admit a technical state of war. I told him I did not think that was a necessary inference. I said that both China and Japan could agree to a suspension of hostile acts by either government against the other or its nationals without, in my opinion, admitting a state of war. I told him that if he wished to communicate with Shidehara, he could tell Shidehara that I thought the Japanese proposal of a neutral investigation into all these matters was a long step forward by Japan in the direction of bringing itself into alignment with the methods and opinion of the Western world, and I reminded the Ambassador that two years ago, in the case of the controversy between China and Russia, he had told me how Oriental opinion was invariably opposed to neutral investigation and insisted upon direct negotiation. I told him in the second place that he might inform Shidehara I thought that unless a suspension of hostilities was agreed to, the proposal for an investigation would be greatly marred and would fail to enlist the sympathy of the public opinion of the world, which it otherwise would. He said he would report my views to Shidehara at once.

H[ENRY] L. S[TIMSON]

793.94/2945c : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, November 23, 1931—7 p. m.

240. It has been reported to me by Ambassador Debuchi that Japan proposed, at the meeting in Paris of the Council of the League of Nations, the appointment of a neutral commission to investigate all matters which were in controversy between Japan and China and to report to the League the results of this investigation.⁶⁹ The draft of a proposal now pending before the Council has since been received

mentioned by Debuchi. As this resolution may not have been shown to Yoshizawa, I am sending for your confidential information a separate cable quoting the resolution.⁷⁰

There is a provision in the proposal now before the League calling upon Japan and China to give to the commanders of their respective forces the strictest orders to take all necessary measures to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life.

I desire that you call upon Baron Shidehara and inform him of my very strong feeling that while, in my opinion, the Japanese proposal for such an impartial investigation is a long step forward in the pending negotiations, unless it contained at least some such provision for the cessation of hostilities during the proposed investigation it would be quite futile for accomplishing the intended beneficent purpose and for winning the support of world opinion. Further, please inform him that it is with great apprehension that I have read press reports that a military expedition against the forces of the Chinese Government near Chinchow is being planned by the Japanese military command and that it is my sincere hope no foundation for this report exists. In my opinion, if such an expedition were undertaken, it would render any useful work impossible on the part of the Commission which the Japanese Government so wisely proposed.

STIMSON

793.94/2888b : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, November 23, 1931—10 p. m.

241. My number 240, dated November 23, 7 p. m. In my message to Shidehara please add that my support of the Council proposal which contains the proposal of the Japanese for an impartial investigation is conditioned also upon the immediate withdrawal from Tsitsihar of the Japanese troops which, through Ambassador Debuchi, he assured me would take place. In that locality there are no Japanese nationals to be protected and throughout this country a most painful impression has already been created by the occupation of Tsitsihar and the heavy losses inflicted upon the Chinese defenders. In my opinion, failure to withdraw from Tsitsihar and any similar expedition to Chinchow would render quite futile any further efforts at conciliation between the two nations.

STIMSON

[Paraphrase]

TOKYO, November 24, 1931—10 p. m.

[Received November 24—11:45 a. m.]

234. With reference to the telegrams of the Department.⁷¹ At 6 o'clock this evening I conveyed the purport of your messages to Baron Shidehara. The attitude of the Foreign Minister was wholly conciliatory and cordial. He made the statement that the Premier, the Secretary of War, the Chief of Staff, and he are agreed that towards Chinchow there shall be no hostile operations, and orders have been issued to that effect. The clause in the draft prohibiting hostilities he agrees to, but is insistent that Japanese citizens must be protected by Japanese troops against marauding bandits which infest the country. In this respect the situation is extremely difficult as these men who are actually members of marauding bands claim to be soldiers one day and appear in citizens clothes the next. There will be no objection on the part of Japan, he states, if hostilities were defined as operations between national armies. The exact wording I have not undertaken to quote. The retention of troops at Tsitsihar he states has no political significance; and its purpose is purely for picking up the dead, collecting the frostbitten and wounded, and effecting evacuation. With the thermometer 30 degrees below zero, troops have operated over an extended area with great suffering. The necessity for collection and caring for the sufferers—a matter of days—is the reason for the delay; when pressed he could not give me the number of days but says he is also in complete agreement with the officers of the War Department in the policy of this evacuation; he claims that the fighting reported in progress today is not near Chinchow and is merely to drive off a force of bandits, not exceeding 2,000, threatening to cut the South Manchuria Railway.

FORBES

793.94/2928a : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, November 27, 1931—2 p. m.

245. It is my desire that you call upon the Minister for Foreign Affairs and after reading the following message to him, leave with him a copy of it.⁷²

...nell of the League of Nations that Mr. Yoshizawa called upon him
Thursday and left an *aide memoire* regarding the very serious situ-
ation around Chinchow and the necessity of immediate steps to
avert a collision.

Your Excellency will remember that on November 24th in response
to my representations through Ambassador Forbes you assured me,
with the concurrence of the Minister of War and the Chief of Staff
that there would be no movement of Japanese troops in the direction
of Chinchow and informed me that orders to that effect had been
issued to the Japanese troops.⁷³ In reliance upon this assurance I have
taken conciliatory steps upon the Chinese Government and an ac-
ceptance of the proposal of the Council of the League of Nations,
each proposal was in part based upon a proposition of the Japanese
Government. Inasmuch as according to Mr. Yoshizawa's statement
to M. Briand there are only some twenty thousand Chinese troops in
the Chinchow district and north of the Great Wall, and inasmuch as
Chinchow is substantially 120 miles by rail from the South Man-
churia Railway at Mukden, I am quite unable to see how there can be
any serious danger to that railway or any serious danger of a clash
between Chinese and Japanese troops unless the latter troops should
fail to observe the orders which Your Excellency assured me had
been given."

A press report has been brought to me as I dictate this cable that
Japanese troops have advanced already as far as Kowpangtze. Will
you please tell Shidehara, if this report is confirmed by the informa-
tion available to you in Tokyo, that this information astonishes me
and that I am totally unable to reconcile it with the assurances he
gave me on November 24, and that I should like to be informed of the
actual facts of the situation as promptly as possible.

STIMSON

94/2941 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, November 28, 1931—8 p. m.

[Received November 28—10:30 a. m.]

39. I have delivered your message in 245. Baron Shidehara states
that there has been no change in the plan or intention of his Govern-
ment in regard to movement against Chinchow; the evacuation of
Tientsihar is progressing steadily and is a matter of days; that in the
region of the Liang [*sic*] River there have been movements against
bands of bandits, as indicated in last paragraph of my telegram ⁷³ and
they have been dispelled, and troops now withdrawing towards Muk-
den, but may have to operate again if at any time further bands of

Baron Shidehara informs me that he has been placed in a most embarrassing, and as he terms it, untenable position by statements appearing in the press purporting to be given out by you to the effect :

First, that he was giving out the fact of agreement between the Chief of Staff and the Minister of War which he requested should be confidential when he gave it to me.

Secondly, that movements of troops have been in contravention to his representations, which he denies.

And thirdly, that he has expressed a regret for the action of the Japanese troops in Manchuria.

The allegation that you have given out these statements which appear in an Associated Press despatch has resulted, so Baron Shidehara informs me, in his now being subjected to most acrimonious and bitter attacks from his Army. He has, through the French Ambassador, been conducting negotiations with Briand which has resulted in an accord being reached between the Chinese and Japanese in principle in regard to further movements in the vicinity of Chinchow, the Chinese agreeing to withdraw troops to a certain line and the Japanese also withdrawing, the administration of the region between being left in Chinese civil hands under the protection of Chinese police. The exact limits of this region is now under discussion and conversations are being held to determine that and perhaps other details. Baron Shidehara says that the object which he and you desire was in a fair way apparently of accomplishment but that he greatly fears these press reports from Washington may jeopardize the success of the whole agreement by encouraging the Chinese to propose or make unreasonable demands. May I express the hope that you can issue a statement to the press that you have assurances that there has been no misrepresentation to you and that the representations are being carried out. I am personally convinced that Baron Shidehara has been acting in entire good faith, and he wishes me to express his confident belief that you have only friendly feeling towards him and that both he and you are ardently desirous of accomplishing the same object, namely, the maintenance of peace. I am appending text of the message purporting to be given out by you in Washington which is causing so much excitement here and making Baron Shidehara's position difficult :

"This is not the first time America has had reason to watch with suspicion the actions of the Japanese Army since the incident of September 18th. From the very outset the Tokyo Government asserted that Japan has no aggressive designs and desires only to protect the rights and interests of Japan, and yet city after city has been attacked by the Japanese Army. Some of them are actually several hundred

not under the complete control of the Government, went too far for action. The note received only three days ago was a definite promise by both civil and military authorities; therefore the American Government believed till today that everything would proceed peacefully; on November 23rd, when Stimson received news of the danger of Japan attacking Chinchow, he notified the Japanese Government that his patience had reached an end. He warned the Japanese Government that an attack on Chinchow would destroy entirely the peace-negotiations now going on in Paris. Baron Shidehara replied that Japan has no intention of attacking in the direction of Chinchow and that he had so informed the Japanese military commanders in Manchuria."

The Foreign Office has given to the press a "vigorous written statement" in regard to this alleged statement; speaks of Stimson's pre-emptive action disclosing confidential exchanges and speaks of his running into fulminations, losing his head in critical moments; states that Stimson was misinformed in manner and in matter. In regard to the Japanese Government running amuck, asks if he considered the meaning of his words before using them, and other bitter comments.

FORBES

4/2967a : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

WASHINGTON, November 28, 1931—noon.

47. For your information. At press conference on November 27, correspondents brought to attention of the Secretary press despatches to the effect that General Honjo's army had moved southward from Mukden and was encamped 35 miles north of Chinchow and that Japanese bombing planes were operating in that area. The Secretary

will simply say I am at a loss to understand that, in view of very definite assurances that have been given to me on that subject. We have no confirmation of them and I am speaking therefore solely from press despatches but not for quotation but for attribution. On the twenty-third of November, I asked our ambassador in Tokyo to inform Baron Shidehara, the Foreign Minister of Japan, that I had seen in a great apprehension press reports giving the impression that the Japanese Commanders of Japan were planning military expeditions against the forces of China in the neighborhood of Chinchow and that I sincerely trusted that there was no basis for that report. The following day, November 24, I was assured by Baron Shidehara, the Foreign Minister of Japan, through Ambassador Forbes that he and the Secretary of War and the Chief of Staff were all of them agreed

difficult for me to understand the press report about the advance of General Honjo's Army."

This is all that was said by the Secretary on that subject.
Repeat to Nanking and Paris.

STIMSON

793.94/2941 : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

WASHINGTON, November 28, 1931—2 p. m.

248. Your 239, November 28, 8 p. m. The statement quoted therein as having been given out by me is untrue in every particular. No such attitude by me towards the Japanese Government has ever been expressed either in public or private. On the contrary, as Ambassador Debuchi well knows I have used every endeavor for the past two months to restrain any expressions by the American press which might be embarrassing to a peaceful solution of the Manchurian controversy. I have already publicly denied the story as reported from Tokyo and have given you in my 247 of November 28, noon, the only words used in the press conference on the subject. They were made in answer to reports of a general movement on Chinchow by General Honjo's army and expressed my reasons for not crediting those reports. I am glad now to have Baron Shidehara's confirmation that they are not true.

STIMSON

793.94/3133a : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, December 8, 1931—11 a. m.

259. 1. It is reported from Paris by Dawes that instructions to make representations against any measures which would tend to aggravate further the situation in regard to Chinchow are being sent by members of the League Council to their respective diplomatic representatives in Tokyo.

The text of Briand's communication to Shidehara through Yoshizawa was given to Dawes by Briand. The following is the text of the communication :⁷⁵

"My colleagues and I are in any case convinced that the Japanese Government will respect fully the resolutions of September 30th

It would be deplorable if, at a moment when an agreement is in sight which we believe will be acceptable to both parties, the situation should be embittered and even endangered by fresh outbreaks of fighting. In this connection I would draw Your Excellency's attention to the proposal set out in my letter of November 7th and Your Excellency's reply thereto in which it is stated that a danger of contact between the Chinese and Japanese troops exists, the Japanese Government would be disposed to examine attentively the suggestions made to avoid such a contact."

It is my desire that at once you communicate with the British and French Ambassadors, and, if you find your colleagues are making representations of this nature, that you cooperate with them and talk along the same lines with Shidehara.

The following is for your guidance and information: Yesterday the Japanese Ambassador came to see me and told me that the Japanese after having promised to evacuate the neutral zone were creating difficulties by refusing and that Baron Shidehara's position was made very difficult because of this. It was intimated by the Ambassador that to prevent the Japanese Army from advancing in Manchuria would be very difficult. Thereupon, I talked very seriously to him, and said that if the Japanese forces after having been recalled could now advance on Chinchow, the matter would be made ten-fold more clear to the American public that the advance was with the intention of destroying the last fragment of Chinese authority in Manchuria and not for the purpose of protecting Japanese nationals. Because it would be extremely difficult, I pointed out to him, to ask China to withdraw her own army from her own territory, which evidently was not what he wanted us to do. Also, I pointed out the complete absence of reports of any attacks in Chinchow on Japanese citizens, and said that under these circumstances a very painful situation would be created in American public opinion if the Japanese Army moved again on Chinchow. What we would do in such a contingency I said was even now being asked by the press. In detail I reviewed the long sequence of advances by the Japanese Army and pointed out how in each case the Japanese Foreign Office had made representations as to their purpose which had proved to be unavailing. I said a final advance would be conclusive for public opinion in the United States that the entire movement since September 18 has been for the purpose of attacking Marshal Chang's Chinese army wherever it could be found and not for protection of Japanese life and property. Further, I said, under such circumstances it would be difficult to contend that the provisions of the

Kellogg-Briand Pact had not been broken and very difficult to persuade any one that it did not amount to a violation of the Nine-Power Treaty as to the guarantee of the territorial and administrative integrity of China.

The reply of the Ambassador was that he had no intention of implying that General Honjo would advance immediately. Then I said that what I desired to hear was that Japan had accepted the resolution pending before the Council and that the Council had passed it. The importance of that resolution in its effect on our public opinion was emphasized by me, also the importance of an impartial investigation in Manchuria and of a cessation of hostilities. He thought we would hear good news on that in a very few days he said. My reply was that it might better be a matter of a very few hours and that it would be far easier to reconcile Chinese public opinion to self-control if the resolution were passed than it would be without the resolution.

The political difficulties surrounding Baron Shidehara were again referred to by the Ambassador. I told him that Baron Shidehara's difficulties, in my opinion, were nothing like as severe as the difficulties which the Chinese Government was having in explaining why from their own territory they should be asked to withdraw their military forces when these troops were merely where they had a right to be and were not engaged in attacking anybody.

Summing up, I requested the Ambassador to urge most seriously upon Baron Shidehara the serious effect on the opinion of the American public which any new advance by the Japanese Army would have, and the serious thought which was already being given to that problem by us. With this in view, I stressed also the particular importance that surrounded an immediate passage of the proposed resolution and a prompt and successful solution of the action pending before the Council of the League of Nations.

3. Debuchi presumably will have reported what I said to him.

It is my wish that by seeing Shidehara, you signalize the solidarity of view with regard to the question of Chinchow between the American Government and the other Governments, and secondly that on my behalf you emphasize the points which, as outlined above, I emphasized to Debuchi yesterday.

STIMSON

TOKYO, December 9, 1931—9 p. m.

[Received December 9—12:25 p. m.]

66. Department's 259, December 8, 11 a. m. I called first on the French Ambassador who saw the Minister for Foreign Affairs last night having a long session with him and giving him the text of the French Ambassador's message. I also saw the British Ambassador who had conferred with the French Ambassador and was sending his Counsellor to see Nagai.^{76a} They both agreed I had better see Shidehara immediately.

This evening I had a long talk with the Minister for Foreign Affairs. He said he was doing his level best to bring about the settlement of the whole situation by peaceful means and without further use of force. He went into all the details at great length illustrating his points on a map. He said that Wellington Koo's original proposition was to the effect that the Chinese troops should be withdrawn to Shanghai.^{76b} He said that the region between that and Chinchow is bounded by mountains on one side and would be easily protected against bandits. He feels the Chinese police can handle it adequately. In any case the Japanese could withdraw their subjects and could be prepared to do so in that region if the situation required it. East of the river which runs close by Chinchow he said the bandits are active and wholly beyond the power of the Chinese police to handle. The Japanese would be compelled to be ready to issue forth from the buffer zone on protective and punitive expeditions, not occupying territory but retiring as they have done and are doing now after order has been restored. He repeated what he had said previously: That the number of these bandits and their equipment proves conclusively that they are being supplied and sent out to harass the Japanese and that he is convinced they are supported by the Young Marshal Chang. Moreover, the Chinese have not withdrawn their troops even to Chinchow but are occupying Kowpangtse and Tahushan; and, to make matters worse, Koo is now withdrawing his proposition and denying it is definite. The feeling in the Japanese Army and among many officials is that the Chinese have duped the Japanese Government into withdrawal, have not done their part, and he, the Minister for Foreign Affairs, is being very fiercely criticised and receiving quantities of telegrams daily very bitterly assailing him for permitting his Government to be deceived and for trusting the Chinese offer.

He spoke of the episode of the Associated Press article and said it was ended and closed but that the attacks, particularly those engi-

tary secrets."⁷⁷ He had prepared a memorandum of what he said to me in the interview ⁷⁸ and I have indorsed it as follows: "This statement is in substantial accord with my recollection of the interview in question." I have told him that we wanted to support and assist him in every way in his efforts to bring about a peaceable solution of the problem.

In regard to Tsitsihar he said the policy had not been changed. The evacuation was only delayed due to the menacing position of General Ma with whom negotiations were in process and which he hoped would result in making possible an early withdrawal.

It seems probable that unless the Chinese adhere to Wellington Koo's proposition and withdraw their armies to the line he suggested, it is only a question of time before the Japanese will feel compelled to drive the Chinese armies back. Shidehara did not describe this as asking them to evacuate their own territory except insofar as to make good their own proposition.

FORBES

793.94/3186

Memorandum by the Secretary of State

[WASHINGTON,] December 10, 1931.

I sent for the Japanese Ambassador, and when he came I reminded him of his conference with me on November 28th when he had brought me the Wellington Koo proposal and the Japanese acceptance.^{78a} I told him that I had been looking into the misunderstandings that had arisen about that matter. Then I explained to him at length my investigations yesterday and the reports which I had received which had led me to believe (1) that Mr. Koo had not intended to make a firm proposal but merely to sound out Japan, (2) that his proposal, such as it was, had not been accepted literally or in terms by Baron Shidehara, although I believed that Shidehara had intended to give sufficient assurance to justify careful consideration of his acceptance by China, and (3) that there had been possibly a misunderstanding by the Council of Mr. Yoshizawa's definition of the neutral zone, on December 7th, extending to the Hsiaoling-Ho River, and that they very possibly did not realize that Japan made that limitation based upon

⁷⁷ See telegram No. 239, Nov. 28, 1931, from the Ambassador in Japan, p. 51; telegrams Nos. 247, 248, Nov. 28, 1931, to the Ambassador in Japan, pp. 53, 54.

^{78a} See telegram No. 234, Nov. 24, 1931, from the Ambassador in Japan, p. 50.

^{78a} Neither printed; but see telegram No. 262, Dec. 11, 1931, to the Ambassa-

make sure that no misunderstanding, which could be avoided, would arise which would lead to a renewal of hostilities, and that I had telephoned to General Dawes last night on the subject and had heard from him this morning; that he had taken it up with Mr. Sze,⁷⁹ Mr. Tsudaira, Mr. Briand and probably others and there seemed some reason to believe that there had been a misunderstanding and that possibly a fresh start could be made, but that I was not at all sure as the Council was very anxious to adjourn tonight. I made it clear, however, to Mr. Debuchi that although I was taking these steps to see whether there was any possible way of avoiding hostilities, it had not at all changed my viewpoint that in case General Honjo's army should now move forward again against the Chinese forces around Chinchow it would be an entirely unjustified act of aggression. I explained to him that I now had very full and accurate reports, not only from our own Military Attachés, Colonel McIlroy and Colonel Margetts, who were at Chinchow, but I also had the benefit of the reports of the other foreign observers, and these reports all agreed that there was no aggressive movement under preparation near Chinchow by the Chinese. To illustrate the accuracy of my reports, I pointed out that the Japanese headquarters at Mukden had reported the Chinese 20th Brigade as being at Faku (northeast of Mukden), and I now had reports from our military observers that they had personally inspected the 20th Brigade and that it was in its usual quarters at Chinchow, they having verified the presence of all units. I asked the Ambassador to report all this to Baron Shidehara and he said he would.

*Resolution Adopted by the Council of the League of Nations on
December 10, 1931*⁸⁰

The Council,

(1) Reaffirms the resolution passed unanimously by it on September 30th, 1931, by which the two parties declare that they are solemnly bound; it therefore calls upon the Chinese and Japanese Governments to take all steps necessary to assure its execution, so that the withdrawal of the Japanese troops within the railway zone may be effected as speedily as possible under the conditions set forth in the said resolution;

(2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24th;

Sao-Ke Alfred Sze, Chinese representative on the Council for the 65th session.

Reprinted from League of Nations, *Official Journal*, December, 1931, p. 2374.

to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life;

(3) Invites the two parties to continue to keep the Council informed as to the development of the situation;

(4) Invites the other Members of the Council to furnish the Council with any information received from their representatives on the spot;

(5) Without prejudice to the carrying out of the above-mentioned measures,

Desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two Governments of the questions at issue between them:

Decides to appoint a Commission of five members to study on the spot and to report to the Council on any circumstance which, affecting international relations, threatens to disturb peace between China and Japan, or the good understanding between them, upon which peace depends;

The Governments of China and of Japan will each have the right to nominate one assessor to assist the Commission.

The two Governments will afford the Commission all facilities to obtain on the spot whatever information it may require;

It is understood that, should the two parties initiate any negotiations, these would not fall within the scope of the terms of reference of the Commission, nor would it be within the competence of the Commission to interfere with the military arrangements of either party.

The appointment and deliberations of the Commission shall not prejudice in any way the undertaking given by the Japanese Government in the resolution of September 30th as regards the withdrawal of the Japanese troops within the railway zone.

(6) Between now and its next ordinary session, which will be held on January 25th, 1932, the Council, which remains seized of the matter, invites its President to follow the question and to summon it afresh if necessary.

793.94/3170a : Telegram

The Secretary of State to the Minister in China (Johnson)

WASHINGTON, December 11, 1931—11 a. m.

455. On December 10 the Secretary of State issued a statement to the press as follows:

"The Government of the United States is gratified at the unanimous adoption by the Council of the League of Nations of the Resolution of

ducted with great patience.

The Council of the League of Nations was in session on September 18 when the present situation in Manchuria first developed. China at once appealed to the Council under Article 11 of the League Covenant. The Council took immediate cognizance of this appeal, and China and Japan participated in the discussions before it in accordance with their obligations as parties to the covenant. This Government has from the beginning endeavored to cooperate with and support these efforts of the Council by representations through the diplomatic channels to both Japan and China. Not only are the American people interested in the same objective sought by the League of preventing a disastrous war and securing a peaceful solution of the Manchurian controversy, but as a fellow signatory with Japan and China in the Kellogg-Briand Pact and in the so-called Nine Power Treaty of February 6, 1922, this government has a direct interest in and obligation under the undertakings of those treaties.

The present Resolution provides for the immediate cessation of hostilities. It reaffirms the solemn pledge of Japan to withdraw her troops within the railway zone as speedily as possible. It provides for the appointment of a commission of five members to study on the spot and report to the Council on any circumstance which disturbs the peace or affects the good understandings between China and Japan. Such a provision for a neutral commission is in itself an important and constructive step towards an ultimate and fair solution of the intricate problem presented in Manchuria. It means the application with the consent of both China and Japan of modern and enlightened methods of conciliation to the solution of this problem. The principle which underlies it exists in many treaties of conciliation to which the United States is a party and which have played in recent years a prominent part in the constructive peace machinery of the world. The operation of such a commission gives time for the heat of controversy to subside and makes possible a careful study of the underlying problem.

The ultimate solution of the Manchurian problem must be worked out by some process of agreement between China and Japan themselves. This country is concerned that the methods employed in this settlement shall, in harmony with the obligations of the treaties to which we are parties, be made in a way which shall not endanger the peace of the world and that the result shall not be the result of military pressure. These are the essential principles for which the United States and the nations represented on the Council have been striving and it is in itself a signal accomplishment that there has been arrayed behind these principles in a harmonious cooperation such a solid alignment of the nations of the world.

On the other hand the adoption of this Resolution in no way constitutes an endorsement of any action hitherto taken in Manchuria. This government, as one of the signatories of the Kellogg-Briand Pact and the Nine Power Treaty, cannot disguise its concern over the events which have there transpired. The future efficacy of the Resolution depends upon the good faith with which the pledge against renewed hostilities is carried out by both parties and the

are availed of. The American Government will continue to follow with solicitous interest all developments in this situation in the light of the obligations involved in the treaties to which this country is a party."

Repeat to Nanking and to Tokyo.

STIMSON

793.94/3178c : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, December 11, 1931—9 p. m.

262. Embassy's 256, December 9, 9 p. m. I wish that you be informed as follows regarding the question of the alleged promises of the Chinese to withdraw from Chinchow.

1. The American Minister at Nanking telegraphed Department on November 24 as follows: ⁸²

"In view of alarming reports current as to imminent Japanese action at Chinchow Dr. Wellington Koo, Acting Minister for Foreign Affairs, has this evening told me and my British and French colleagues that his Government wished to sound our Governments out and if feasible make a formal proposition along following lines:

'In order to avoid any clash China is prepared as a temporary measure pending a general settlement of the Manchuria question, if Japan insists on withdrawal of troops in the Chinchow area to do so up to Shanhaikwan, provided Japan gives guarantees satisfactory to Great Britain, the United States and France, not to go into that zone leaving the Chinese civil administration intact including police.'

"In view of critical situation we undertook to commend this to our respective Governments and to ask for a speedy reply."

2. On December 8, the American Minister at Nanking cabled the following:

"Chinchow situation. The suggestion made tentatively by Koo regarding Chinchow transmitted to the Department in my telegram of November 24, midnight, was apparently communicated by the French Ambassador to the Japanese Government which seems to have received it as a firm offer on the part of the Chinese. In spite of the fact that Koo's intention was merely to sound out the American, British, and French Governments, and that he made his offer contingent upon Japan's giving guarantees to those Governments, the Japanese have chosen to take this stand and now insist stoutly that if the Chinese fail to evacuate Chinchow, they will be guilty of breach

made on their part and therefore they are under no obligation to evacuate Chinchow, last stand in the Manchurian area of the Nationalist Government. It is my understanding that the Japanese maintain their withdrawal was due to the offer by the Chinese, and have been told that the Chinese Government through Shigemitsu has been informed by the Japanese Government that the situation will become difficult unless the Chinese withdraw their troops."

3. I telegraphed the above to Dawes on December 8 and gave him the following instructions:

"It is my desire that you see Briand and bring to his attention the discrepancy between the tentative proposal which Dr. Koo put forward for consideration and the contention which the Japanese Government now makes that because of the promise the Chinese made to withdraw their armed forces from Chinchow, the Japanese withdrew their forces east of the Liao River, and that if the Chinese now fail to evacuate Chinchow they will be guilty of a breach of faith."

4. Dawes sent me a lengthy telegram on December 9,^{82a} quoting a statement with regard to the entire transaction. The statement had been made to him in Paris on good authority⁸³ whose identity I do not feel it advisable to disclose. It appears from this statement that, as is stated in paragraph 1 above, Dr. Koo submitted a tentative project to the British, French, and American Ministers at Nanking. This project contained the suggestion that, provided Japan gave satisfactory guarantees to Great Britain, the United States, and France, Chinese troops might be withdrawn from the Chinchow area; that this project tentatively proposed was communicated to Baron Shidehara by go-betweens; that the impression Baron Shidehara gained was that the proposal was a definite offer on the part of Koo; that the reply of Shidehara to the go-betweens was acceptance in principle but with the declaration that the Japanese Government would not give guarantees to the three powers but would be willing to give a guarantee to the Council of the League of Nations; and that subsequently in various quarters the matter has been discussed without there having been achieved an acceptance either by the Japanese Government of the original proposal made by Dr. Koo or by the Chinese Government of the counter-proposal made by Baron Shidehara.

The charge, however, that by virtue of not having withdrawn their troops south of Chinchow the Chinese have acted in bad faith, would seem not to be justified.

^{82a} Not printed

has arisen and that the impression the people of Japan have acquired is that after offering to withdraw her troops, China now refuses to do so; on the other hand the Chinese people have gained the impression that Koo's tentative effort is being misrepresented by Japan and that she is using as a pretext for contemplated further military action against Chinchow the failure of China to act on an alleged promise.

One or more of the parties who undertook to act as go-betweens, according to my information from Paris, have fully explained to the Japanese the misunderstanding in relation to Dr. Koo's tentative project. According to my latest information the Council has decided that with regard to the neutral zone project it will not press negotiations further.

Such is the situation now, regardless of fiction or fact as to the antecedents, and all reports indicate that (a) at Chinchow the Chinese troops are standing quiet on the defensive, (b) their withdrawal either cannot or will not be ordered or effected by the Chinese Government, and (c) the Japanese troops are threatening an attack on Chinchow.

In my opinion, this being the situation, it is imperative that I reaffirm the view which has been expressed by me repeatedly that if the Japanese Army attacks Chinchow, it would be most unfortunate for all concerned and especially for Japan.

It is clear that there has been misunderstanding concerning Dr. Koo's project which he suggested tentatively two weeks ago. I find, however, no evidence of bad faith in any quarter. Whether the Chinese troops should or should not withdraw from Chinchow voluntarily is a question which involves considerations of expediency and practicality rather than of obligation. For the Chinese authorities to withdraw these troops without some definite and satisfactory agreement first having been concluded, it is easy to understand, would be difficult and perhaps politically impossible. They are, after all, on their own soil and we do not have any evidence that aggressive action against Japan is contemplated or could be taken by the Chinese. An attack on Chinchow by the Japanese Army under these circumstances would be regarded as unjustified by the world.

Now the resolution of the Council has been adopted, I feel that some agreement which will ensure against hostilities at or in relation to Chinchow could be negotiated by the Japanese and the Chinese.

You will please talk this matter over with Baron Shidehara and explain my views as indicated. Inform him that in regard to his absolute sincerity in the whole matter I have no doubt whatever, and that I am not unaware of and regret the use which is being made of the

fact or the appearance of lack of self-restraint would have a decidedly bad effect on world opinion, I am willing that he inform his leagues that the Government of the United States urges upon Japan utmost self-restraint with regard to any further military activity.

STIMSON

94/3285 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

[Paraphrase]

TOKYO, December 22, 1931—2 p. m.

[Received December 22—5 : 43 a. m.]

73. Saturday afternoon Inukai ⁸⁴ called at the Embassy and I quoted words of an observer who had told me that in Manchuria Japan was creating a situation which was fraught with the certainty of future war, for with the alienation of Manchurian sovereignty China would rest a gun. I was assured by Inukai that never would Japan allow such a situation to arise and never would Chinese sovereignty be imperiled. He reiterated that Japan merely desired the protection of Japanese persons and interests, and expressed the expectation that with the restoration of order and improvement in the means of transportation in Manchuria there would be greatly increased influx of Chinese inhabitants.

In the meantime, active preparations are continuing for further operations in Manchuria where a free hand seems to have been given to the military.

FORBES

94/3310d : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, December 22, 1931—9 p. m.

73. 1. My 240, November 23, 7 p. m.; 259, December 8, 11 a. m., paragraph 2; and 262, December 11, 9 p. m., last two paragraphs. Please reread these telegrams.

Reports from a variety of official sources and from news despatches indicate definite plans are being made by the Japanese authorities for the purpose of forcing the withdrawal of the Chinese south of the Great Wall, contemplating, if necessary to accomplish that objective, resort to hostilities against the regular forces of the Chinese in the vicinity of Chinchow.

It has been informed by the French Ambassador that the French

to urge upon the Japanese Government that with the greatest care it measure its obligations and responsibilities under the December 10 resolution of the Council, and to point out that the conciliatory efforts of the League Council would be compromised by military operations against Chinchow.

3. You will please call on the Foreign Minister, indicate my solicitous concern and, after reading to him on my behalf the following statement, leave a copy with him.⁸⁵

"News despatches and reports from a variety of official sources are to the effect that responsible Japanese authorities are seriously contemplating action in connection with the continued presence of the regular Chinese military forces at and south of Chinchow in Manchuria, measures which, if followed through to their logical conclusion, would in all probability lead to renewal of armed hostilities. In the presence of these reports, I feel called upon, as a part of friendship, again frankly to convey to the Japanese Government expression of my apprehension.

On the basis of reports made by military observers of several nationalities on the spot, including our regular American military attachés, I find no evidence that the Chinese have engaged in or are preparing for any offensive military movement.

My position with regard to this matter has been made known to the Japanese Government both through the Japanese Ambassador in Washington⁸⁶ and through the American Ambassador in Tokyo. The position of the Council of the League with regard to the whole question of further hostilities in Manchuria, along with other matters, is definitely recorded in the resolution of the Council of December 10, which resolution was approved by all members of the Council, including the Chinese and the Japanese representatives. The position of the American Government has been indicated by its express approval of the substance and the letter of that resolution. This approval was definitely recorded in my public statement of December 10.⁸⁷ In that statement, after outlining and commenting upon the provisions of the resolution, including the provision for cessation of hostilities, I said: 'The future efficacy of the Resolution depends upon the good faith with which the pledge against renewed hostilities is carried out by both parties and the spirit in which its provisions directed toward an ultimate solution are availed of.'

I cannot emphasize too strongly the view therein expressed. I feel that news of a new attack by Japanese armed forces in Manchuria upon Chinese regular armed forces would have a most unfortunate effect on world opinion. I feel that it would be regarded as unwarranted and would be interpreted as indicative of indifference to obligations assumed in the resolution of the Council of December 10 and obligations of long standing in various treaties to which Japan and China, as well as the United States, are parties."

STIMSON

⁸⁵ Quotation, not paraphrase.

TOKYO, December 24, 1931—5 p. m.

[Received 10:55 p. m.]

278. Department's 273, December 23 [22], 6 [9] p. m. I saw Inukai in person at 12 o'clock today and read him your message. It was interpreted passage by passage as I read. I left a written copy in accordance with your instructions. I read through all the messages referred to before going. I advised Inukai that I had on several occasions made representations, some of them similar in purport, to Baron Shidehara and to Mr. Nagai. He replied that these military operations were wholly aimed at the bandits and that there was no intention of attacking regular Chinese troops; that it was his earnest hope that a clash could be avoided and that the Chinese Foreign Office could be persuaded by negotiation to withdraw behind the Great Wall. He said that newspaper reports were misleading and that the Japanese had indisputable evidence, some of it in documentary form—taken from prisoners or from dead bodies of bandits—that the bandits were acting upon orders from regular officers with headquarters in Chinchow. He stated that the difference between the regular soldier and the bandit was a line very difficult to draw because the regular soldier became a bandit as soon as he stopped getting pay. At this point I asked how these regulars could become other than bandits, the Japanese having taken away the sources of revenue; to which he replied that Chang Hsueh-liang had other sources of revenue. He first tried to say that the Japanese had not seized the funds; I told him I knew they had taken possession of the salt tax and balances in certain banks. Then he corrected his statement but said that the funds were being devoted to the ordinary uses of the Government. He pointed out the extremely difficult position in which the Japanese troops would find themselves if the marauding bands whom they were driving out of the country could get back and join the regular forces in Chinchow; that under the circumstances it would be very difficult for the Japanese Army to refrain from attacking and driving the Chinese out; that while these bands were operating in Manchuria there could be no possibility of beginning the orderly conduct of civil government. Once the Chinese regular troops were withdrawn behind the Great Wall, he said that work could be found for the bandits who could then be persuaded to discontinue their disorderly practices. He referred sympathetically to the chagrin and disappointment of young Chang Hsueh-liang whom he described as a hot-headed young man who, having been practically king of Manchuria, now found himself deprived of his power; he had

the matter of trying to persuade Chang Hsueh-liang to abandon his efforts to harass the Japanese Armies and to withdraw his troops peaceably in the interests of an amicable settlement of the whole Manchurian situation; this he said the Chinese Minister had promised to do. He expressed great hope that the whole situation could be cleared up without further clashes between Japanese and Chinese soldiers, but expressed fear that if they found themselves face to face it would be extremely difficult to prevent fighting. At this point I reiterated the unfortunate effect upon world opinion that would ensue; to which he quite agreed that that would be the case.

I took occasion to discuss with the Minister the economic situation, and commented briefly on the interferences with neutral business—always to the advantage of Japanese-owned enterprises—which seemed to be the regular policy of the military officers in power. He asked if these were authentic cases. I told him there was no question about that and cited the diversion of railroad freight, the closing of power stations, and the transferring of business to Japanese-owned concerns, and also interference with bank payments. He assured me that this was merely temporary; that Japan had no design upon the integrity or sovereignty of Manchuria and was absolutely committed to the open-door policy as, he said, this vast territory was in need of foreign capital and the principles of the open-door policy would be strictly respected as soon as civil conditions were restored.

Repeated to Peiping.

FORBES

793.94/3335

Memorandum by the Secretary of State

[WASHINGTON, undated.]

The Japanese Ambassador called at Woodley⁸⁹ at six fifteen on Wednesday evening, December 23. I had sent for him and when he came I told him that the consensus of all the reports which were coming in, particularly from the War Office, were to the effect that a large movement was being made by the Japanese Army against Chinchow. I told him that this gave me very serious concern and anxiety. He said that he appreciated that. I told him that I was receiving reports from our attachés in Chinchow, most of the time from two of them and all of the time from at least one; that these reports went into very great detail; and that they coincided in the absolute assur-

these regular forces in that locality for any aggressive attack on Japanese. To illustrate, I told him of the specific case of Colonel McIlroy, the attaché at Tokyo, who had come to Chinchow by way of Mukden. I told the Ambassador that from Mukden Colonel McIlroy sent me a report of information, which he had evidently received from the Japanese Headquarters at Mukden, which caused me to feel that there was a great preparation being made by the Japanese which was really threatening the Japanese and that it would require necessary counter-defensive measures by the Japanese. I then pointed out that Colonel McIlroy went from there to Chinchow and two days later he sent me a report which expressly denied everything that he had learned from Japanese Headquarters. He pointed out that no preparations were being made by the Chinese whatever he said that he had identified every unit of the Chinese forces which had been there before as being there now.

I pointed out to the Ambassador that under these circumstances my conclusion in my mind had become clear that if the Japanese made an attack on Chinchow and upon these regular forces there, I should be obliged to look upon it as pure aggression on the part of Japan. I told him that I had been particularly careful not to criticise their counter-defensive preparations against bandits and had confined my representations to Tokyo to the preparations which were being made against the Chinese regular forces. The Ambassador said that the Japanese Army felt that the Chinese regular forces were being used as a base of supplies for the bandits to use against the Japanese. I told him that I was familiar with this argument, but that it could not be sound. The Japanese held the only railroad that led from Chinchow to Mukden and, therefore, the Chinese could not send any supplies in any amount to the bandits and that it would be impossible to supply them overland in any other way in the amount the Japanese were claiming. I told him also that I was familiar from what General Shidehara had said to Forbes of the evidence upon which Japan was making this claim of support to the bandits, namely, that they had found the bandits equipped with army rifles from China and ammunition and also clothing. I said there were so many ways in which the bandits could be equipped with these supplies without coming from Chinchow that this in my mind would entirely dispose of such an argument. I said that in the first place the Japanese had attacked and scattered a great many soldiers of the former Chinese army, and that it was well known that these men had become bandits in great numbers, and that this would account for their having Chinese army weapons and ammunition, so that I could

had always been very friendly to Japan and that he appreciated it. I said that was so, but I said that this troubled me very greatly and that I hoped that as a last resort that they would not commit this act, which I thought would make a very serious impression on everybody. He told me, and he also reiterated it, that he did not really think that the attack would come about and he begged me to have patience. I said that I had had patience for four months and that I expected to still have it, but that I must tell his Government and himself exactly how the matter looked now because it seemed very serious.

H[ENRY] L. S[TIMSON]

793.94/3321 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, December 27, 1931—6 p. m.
[Received December 27—8:33 a. m.]

281. The French and British Ambassadors and I were requested to call at the Foreign Office in successive half hours this morning and were received by Nagai, the Vice Minister of Foreign Affairs, who apologized for the inability of the Prime Minister to receive us due to the necessity of his presence at the meeting of the Diet. He delivered a statement, which is being given out to the press today and cabled in full to Debuchi, and the following memorandum:

"The Foreign Minister of the Imperial Government has carefully read the memorandum from the Secretary of State of America which was submitted by the American Ambassador in Japan under date of December 24, 1931.⁹⁰

The Imperial Government deeply appreciates the friendly concern the American Government has always had with regard to the present incident and at the same time has paid careful attention to the argument expressed in the statement of the Secretary of State on December 10th.⁹¹

According to the memorandum of the Secretary of State, judging from reports made by military officers in Manchuria of America and three other countries there is no evidence of any preparations on the part of the Chinese for attack. The Chinchow military authorities are keeping great military forces in general at Tahushan west of the Peiping-Mukden line and that vicinity, and are not only steadily making military preparations by despatching advance forces to different places along the right bank of the Liao River but are using mounted bandits and other insubordinate elements and are systematically disturbing peace, as is clearly shown in the attached statement of the Imperial Government of December 27th.⁹²

be obliged to start military operations against bandits and other subordinate elements for the purpose of restoring peace and order.⁹³ the fear that in starting the above military operations on a large scale a collision will occur with the above-mentioned Chinese, complete subjugation has been refrained from for a time. Towards the end of November a proposal regarding the question of withdrawal from the vicinity of Chinchow being advanced by the Chinese side, negotiations between Japan and China were conducted for about one month, but on account of insincerity on China's part the above-mentioned withdrawal has not been realized up to the present.⁹⁴ Meanwhile the activities of groups of bandits instigated and employed by Chinchow military authorities became so serious that there was actually created a situation that is feared might bring about a fundamental bankruptcy of general peace and order in South Manchuria. Thereupon the Imperial Army was recently obliged to move out simultaneously and begin the subjugation of bandit bands on a comparatively large scale. The fact that the Imperial Army did not take retaliatory measures such as attack on the Chinese Army willingly in accordance with the resolutions adopted by the Council on September 30th and December 10th, is minutely mentioned in the statement of the Imperial Government above referred to.

The Imperial Government is determined to remain loyal to the League of Nations Covenant, the No War Treaty, other various treaties and the two resolutions adopted by the Council regarding the present incident. In spite of the fact that the Japanese people are greatly distressed over the systematic disturbance of peace by the Chinchow military authorities, the Japanese Army restricted the freedom of subjugation of bandits for a period of one month. In the meanwhile the Imperial Government has endeavored, by resorting to all possible diplomatic measures, to prevent beforehand a collision between the Japanese and Chinese Armies that is likely to occur when subjugation is carried out. The Imperial Government trusts that the American Government will fully understand that this sincerity and forbearance are in accordance with the spirit of faithfulness to obligations based on the above-mentioned treaties and the resolutions adopted by the Council".

[Paraphrase]

In his statement Mr. Nagai charged the Chinese with bad faith because they failed to withdraw their troops after Wellington Koo's proposition. I pointed this out to Mr. Nagai and said you had, after a careful study of the negotiations, reached the conclusion, which I had conveyed to him, that there was no bad faith; and in view of that fact, I thought that if the charge of bad faith were left out, the Japanese Government would be strengthened and be made less subject to unfavorable criticism. It was as a friend of Japan that, I said, I told him and in the hope that his country would not put itself in a false

tially as not being fair. This he advised me he would take up with Inukai and inform me later by telephone, which he did, telephoning to the effect that the charge referred both to the attitude of the young Marshal Chang and of Wellington Koo, and that to let these words stand was the decision they had reached.

In my mind he left no doubt that the solicitude of the Governments of the three powers had resulted in the generals in Manchuria being cautioned to avoid where possible attacks on regular Chinese troops. In addition to the fairly definite phrases both in statement and in the memorandum, he gave me emphatic verbal assurance that unless the regular Chinese troops were engaged in marauding, the Japanese had no intention of attacking them.

Japanese statements have reported the occurrence of a remarkable increase in the number of bandit raids. Attention is called to this fact.

The Legation at Peiping has been sent a copy of this telegram.

FORBES

793.94/3560

Statement by the Japanese Government, December 27, 1931

1. The maintenance of peace and order in Manchuria is a matter to which the Government of Japan have always attached the utmost importance. They have on various occasions taken every lawful step in order to secure it, and to prevent Manchuria from becoming the battleground of militarist factions. Only if peace and order prevail, can the country be safe either for the Chinese or for the foreigner: in the absence of peace and order it is futile to speak of the Open Door or of equal opportunity for the economic activities of all nations. But the events of September last have, in spite of her wishes, created a new responsibility and a wider sphere of action for Japan. Attacked by Chinese violence, her acts of necessary self-protection resulted to her considerable embarrassment in her having to assume the duty of maintaining public order and private rights throughout a wide area. The local authorities might have been expected to co-operate in upholding law and order. But, in fact, they almost unanimously fled or resigned. It was Japan's clear duty to render her steps of self-defence as little disturbing as possible to the peaceable inhabitants of the region. It would have been a breach of that duty to have left the population a prey to anarchy—deprived of all the apparatus of civilized life. Therefore, the Japanese military have, at considerable sacrifice, expended much time and energy in securing the safety of persons and property in the districts where the native authorities had become

and civilized existence break down, but the criminal activities of the bandits who infest the country were naturally stimulated. The prestige and efficiency of the Japanese troops were for some time sufficient to keep them in check, and to maintain order wherever they were stationed. Since the beginning of November, however, a sudden increase in the activities of the bandits has been noted in the vicinity of the South Manchuria Railway Zone, and especially to the west of the Main Line,—and it has been established to demonstration, by the examination of arrested individuals, by documents which have been seized, and from other sources of information, that their operations are being carried on through the systematic intrigues of the Chinchow military authorities.

Reports have, indeed, been made by certain of the foreign military observers suggesting that they found no evidences of any preparations being made by the Chinese for an attack. But as a matter of fact the military authorities at Chinchow are maintaining large forces at various points, west of Takushan, on the Peiping-Mukden Railway in the adjacent territory. Reconnaissances conducted by the Japanese Army have not only definitely confirmed the assurance that the forces are engaged in making preparations for war, but have also revealed the fact that their outposts are stationed along a line connecting Tienchuantai, Tai-an, Peichipao, and other points on the west bank of the River Liao, well advanced from Chinchow. It will naturally be admitted that such a situation in itself constitutes a constant menace to the Japanese contingents dispersed along the South Manchuria Railway and elsewhere, but the danger is even greater than it seems at first sight, if the further fact is taken into consideration that the Peiping-Mukden Railway places the cities of Mukden, Kiao and Hopei within a short journey of three or four hours from Takushan and Kuopantsu (which are bases of the Chinese forces).

The bandit forces, (which include a large number of officers and men discharged from the Chinese army), are daily gaining strength. For instance, the number of bandits on the western flank of the main line of the South Manchuria Railway was estimated early in November at 1,300, whereas investigations conducted in early December revealed the fact that they then numbered over 30,000. Moreover, they are banded together in large groups comprising several hundreds, or even thousands, each equipped with machine guns and trench mortars; so that they can no longer be distinguished from regular troops. This points unmistakably to the existence of a state of affairs in which the so-called bandits are directed and provided with arms by the Chinchow military authorities. According to the statis-

ten days, 450 during the final ten days of the month, and 412 during the first ten days of December, thus reaching the astounding total of 1,529 in forty days. It is the usual strategy of these bandit-troops, when attacked by our men, to fly westward, or to take refuge on the right bank of the River Liao; where our army, anxious to avoid any collision with the Chinese Regulars, has made it a point to refrain from further pursuit.

3. On the 24th November, the Foreign Minister of China made an intimation to the Ministers at Nanking of the principal Powers to the effect that the Chinese Government, in order to avoid any collision between Chinese and Japanese forces, were prepared to withdraw their troops to points within the Great Wall. Upon a proposal to that effect being officially made on the 26th, this Government signified their readiness to accept it in principle—at the same time instructing the Japanese Minister at Shanghai, and the Legation at Peiping, to open conversations on the matter with the Chinese Foreign Minister and with Marshal Chang Hsueh-liang, respectively.

The Japanese Minister in China had several conferences accordingly with the Chinese Foreign Minister between 30th November and 3rd December. In the midst of these conversations, the latter withdrew the overture, and declined further negotiation. Marshal Chang Hsueh-liang, with whom our representative at Peiping carried on negotiations from the 4th December onwards, either directly or through the Marshal's subordinates, expressed on the 7th his willingness to call in his Chinchow forces as a spontaneous move of withdrawal; and he has since given repeated assurances as to the speedy execution of his promise. In point of fact, however, there is no sign of any such withdrawal. On the contrary, the defences of Chinchow have since been strengthened.

4. Accordingly, at the present moment, now almost a month subsequent to the initiation of these negotiations for the withdrawal of the Chinchow troops, there appears no prospect of obtaining any tangible result, owing entirely to the want of good faith on the Chinese side. At the same time, the increased activity above described, on the part of marauding bands, threatens to bring about a complete destruction of all peace and security throughout the whole extent of South Manchuria. In these circumstances, the Japanese forces have now begun a general movement with a view to a campaign against the bandits on a more extensive scale than hitherto. It is obvious, from what has been said above, that the Japanese army, if it is to achieve anything like adequate success, will have to advance to the points west of the River Liao where the bandits have their base. Certainly,

field against the Regular Chinese forces; but in the present abnormal conditions prevailing in Manchuria, the necessities of the case compel them to continue their operations against lawless elements. This is a point on which the Representatives of Japan at the recent session of the Council of the League held on the 10th December made definite declaration. So long as the Chinchow military authorities, while simulating an unaggressive attitude, continue to instigate and manipulate the movements of bandit organizations against the Japanese army as well as Japanese and other peaceable inhabitants, and so long as the officers and men of the Chinchow army mingle in large numbers with these bandits groups and so render it impossible to distinguish the latter from Regular troops, so long must the responsibility for the consequences of any action which may be entailed on the Japanese Army in self-defence rest entirely with the Japanese.

During the course of the past month, in spite of the indignation expressed throughout the country by the behaviours of the Chinchow military authorities, and in accordance with the constant desire of the Japanese Government to abide scrupulously by the resolutions of the League Council, the operations of the Army against the bandits have been restrained within comparatively narrow limits, and the Government have done everything in their power to devise means for forestalling a collision between the forces of the two countries in the course of an eventual anti-bandit campaign. The Japanese Government are confident that their prolonged forbearance and their strict adherence to the stipulations of international engagements will not fail to command recognition by the public opinion of the world.

4/3347: Telegram

The Minister in China (Johnson) to the Secretary of State

PEIPING, December 29, 1931—10 a. m.

[Received 12:55 p. m.]

48. Marshal Chang Hsueh-liang at 9:30 this evening ordered withdrawal of all Chinese forces from Manchuria, stating that he was motivated by a desire to deprive Japanese of any excuse for their aggression in North China. Evacuation of Chinchow has begun. This ends Chinese administration in Manchuria.

JOHNSON

WASHINGTON, January 7, 1932—noon.

7. Please deliver to the Foreign Office on behalf of your Government as soon as possible the following note:

"With the recent military operations about Chinchow, the last remaining administrative authority of the Government of the Chinese Republic in South Manchuria, as it existed prior to September 18th, 1931, has been destroyed. The American Government continues confident that the work of the neutral commission recently authorized by the Council of the League of Nations will facilitate an ultimate solution of the difficulties now existing between China and Japan. But in view of the present situation and of its own rights and obligations therein, the American Government deems it to be its duty to notify both the Imperial Japanese Government and the Government of the Chinese Republic that it cannot admit the legality of any situation *de facto* nor does it intend to recognize any treaty or agreement entered into between those Governments, or agents thereof, which may impair the treaty rights of the United States or its citizens in China, including those which relate to the sovereignty, the independence, or the territorial and administrative integrity of the Republic of China, or to the international policy relative to China, commonly known as the open door policy; and that it does not intend to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1928, to which Treaty both China and Japan, as well as the United States, are parties."

State that an identical note is being sent to the Chinese government.

STIMSON

793.94/3530 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, January 16, 1932—2 p. m.

[Received January 16—6:03 a. m.]

11. Department's telegram No. 7, January 7, noon. I have just received the reply of the Japanese Government which reads as follows:

"I have the honor to acknowledge the receipt of Your Excellency's note dated the 8th January, which has had the most careful attention of this Government.

The Government of Japan were well aware that the Government of the United States could always be relied on to do everything in their power to support Japan's efforts to secure the full and complete fulfillment in every detail of the treaties of Washington and the

ernment, as has so often been stated, regard that policy as a cardinal feature of the politics of the Far East, and only regrets that its effectiveness is so seriously diminished by the unsettled conditions which prevail throughout China. Insofar as they can secure it, the policy of the open door will always be maintained in Manchuria, as in China proper.

They take note of the statement by the Government of the United States that the latter cannot admit the legality of matters which might impair the treaty rights of the United States or its citizens or which might be brought about by means contrary to the treaty of 27 August, 1928. It might be the subject of an academic doubt whether in a given case the impropriety of means necessarily and always voids the ends secured; but as Japan has no intention of adopting improper means, that question does not practically arise.

It may be added that the treaties which relate to China must necessarily be applied with due regard to the state of affairs from time to time prevailing in that country, and that the present unsettled and distracted state of China is not what was in the contemplation of the high contracting parties at the time of the Treaty of Washington. It was certainly not satisfactory then: but it did not display that disunion and those antagonisms which it does today. This cannot affect the binding character or the stipulations of treaties: but it may in material respects modify their application, since they must necessarily be applied with reference to the state of facts as they exist.

My Government desire further to point out that any replacement which has occurred in the personnel of the administration of Manchuria has been the necessary act of the local population. Even in cases of hostile occupation—which this was not—it is customary for the local officials to remain in the exercise of their functions. In the present case they for the most part fled or resigned: it was their own behaviour which was calculated to destroy the working of the apparatus of government. The Japanese Government cannot think that the Chinese people, unlike all others, are destitute of the power of self-determination and of organizing themselves in order to secure civilized conditions when deserted by the existing officials.

While it need not be repeated that Japan entertains in Manchuria no territorial aims or ambitions, yet, as Your Excellency knows, the welfare and safety of Manchuria and its accessibility for general trade are matters of the deepest interest and of quite extraordinary importance to the Japanese people. That the American Government are always alive to the exigencies of Far Eastern questions has already been made evident on more than one occasion. At the present juncture, when the very existence of our national polity is involved, it is agreeable to be assured that the American Government are devoting in a friendly spirit such sedulous care to the correct appreciation of the situation.

I shall be obliged if Your Excellency will transmit this communication to your Government, and I avail myself, et cetera."

TOKYO, January 16, 1932—4 p. m.

[Received January 16—6:45 a. m.]

13. The Foreign Minister, Yoshizawa, received me at 11 o'clock this morning and handed me a reply written in Japanese and English, which is being cabled today.⁹⁵ He advised me it would be given out to the newspapers here today. After I had read it he asked me if I had any comment to make. I told him that the semblance of war which was being fairly sedulously maintained here with constant newspaper references to "battle area", exhibition of captured trophies, and also the fact that throughout Manchuria they talked of it as "war" without qualification, seemed inconsistent with their assertion that it was not a hostile occupation. This he explained by saying the hostility was not toward the Chinese people or Government but against the lawless elements whose suppression was necessary for an orderly community.

Today's paper announces here that China is proposing to sever diplomatic relations with Japan. And I asked if there were any truth in this; to which he replied that they had no official information.

I told him the papers announced officially the Japanese were planning the establishment of an independent Manchurian government in February. I asked him if there were any truth in this; to which he said that while he was in Manchuria he was advised that the Chinese Governors of the Provinces of Kirin, Heilungkiang and Jehol were said to be in favor of the establishment of such a government, and he understood conversations were being held looking to such a development at the present time. I am sure he also meant to include Mukden Province. He said this was on Chinese initiative.

I asked if it were not unquestionably true that these men were placed in power by the Japanese military authorities and selected from men who would not be unfriendly towards Japan. His reply was vague, but he emphasized the fact that all Chinese former high civil officials but one had deserted their posts or resigned. He said these Chinese Governors now planning an independent Manchuria government were actuated by the desire of self-protection both of life and property. I asked if in that case the Japanese would be prepared to support the pretensions of such a government by force. His reply was vague, but he said that Marshal Chang Hsueh-liang

ernment a substantial reduction of the proportion of money spent
military establishments.

asked the same question I had asked of Inukai in regard to the
ns for the employment of former Chinese soldiers; he assured us
t this was their plan.

le laid great stress upon the open door so often when I commented
ts not being open now, he said that was merely during the period
suppressing banditry. I told him it took us six years to suppress
ditry in the Philippines, where we exercised sovereignty, and
mated that the door might be closed for quite a while. But he
phasized the desirability of attracting American capital and busi-
s cooperation to Manchuria.

FORBES

4/3565 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, January 19, 1932—5 p. m.
[Received January 19—7:42 a. m.]

7. Mr. Yoshizawa received all chiefs of missions officially this
ernoon and briefly discussed the prevalent newspaper comment
e about the formation of an independent Chinese Government in
nchuria, which he repeated as wholly due to the initiative of
ndent Chinese officials. I asked how an independent government
Manchuria would square with Japanese repeated declarations re-
cting Chinese sovereignty. He replied that he had not had time
study this so as to state definitely what the position of the Japanese
vernment would be but that although Manchuria would remain
nese soil, the government would be independent as had been the
e under Chang Tso-lin and his son before his association with
Nanking authorities. He was particularly cordial in tone. Mr.
shizawa took occasion to speak in the highest terms of the part
yed by Ambassador Dawes in helping to bring about the form
l adoption of the resolution of the League of Nations.
Repeated to Peiping.

FORBES

793.94/4161a : Telegram

The Secretary of State to the Minister in Switzerland (Wilson)

WASHINGTON, February 12, 1932—2 p. m.

11. Reference Department's 9, February 12, noon.^{95a} There follows the text of a draft^{95b} concerning which I have just talked with Sir John Simon.^{95c} Please deliver a copy to Sir John before he leaves Geneva, explaining that this is merely a rough draft; that I shall be working further on it; that I shall welcome his comments and suggestions.

"To the nations who are either signatories or adherents of the so-called Nine Power Treaty 'regarding principles and policies to be followed in matters concerning China:

The (blank) Governments, signatories of the Nine-Power Treaty, pursuant to Article seventh thereof, desire to communicate to their fellow signatories and adherents to this Treaty their views as to certain matters which have recently occurred within the territory of the Republic of China.

I. This Treaty was concluded in 1922 in the city of Washington at a conference, participated in by many powers, at which the policy of these powers towards the Republic of China was fully discussed and the attitude which they should hereafter adopt towards the Republic of China was set forth in this treaty. The treaty represented the culmination of a policy towards China which had been developed between these powers for many years, known as the Open Door policy. In the first article of that Treaty the Contracting Powers, other than China, agreed:

'1. To respect the sovereignty, the independence, and the territorial and administrative integrity of China.

'2. To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself and [an] effective and stable government.'

The Treaty thus represents a carefully developed and matured international policy intended to afford to the people of China the fullest possible opportunity of developing, without molestation, their sovereignty and independence among the nations of the world, according to the modern and enlightened standards believed now to maintain among the peoples of this earth. It was known that China was in the process of developing the free institutions of a self-governing Republic after her recent revolution from an autocratic form of government; that she would require many years of both economic and political effort to that end, and that the process would necessarily be a very long one. The Treaty was thus a deliberate covenant of self-denial among the signatory powers of all acts of aggression which were calculated to interfere with that development. But it

...treaty was based received a powerful reinforcement in the execution, substantially all the nations of the world, of the Pact of Paris. These two treaties represent successive steps taken for the purpose of guiding the conscience and public opinion of the world in favor of a system of orderly development by the law of nations, including the settlement of all controversies by the methods of justice and peace instead of by arbitrary force. The program for the protection of China from outside aggression is an essential part of any such development. The signatories and the adherents of the Nine-Power Treaty fully felt that the orderly and peaceful development of the four hundred millions of people inhabiting China was necessary to the peaceful welfare of the people of the entire world and that no program for the welfare of the world as a whole could afford to neglect the protection of the development of China.

III. Although they have withheld adverse judgment pending the investigation which is to be made by the commission appointed by the League of Nations under the resolution of December 9, the nations of the world have watched with apprehension the events in Manchuria which have taken place during recent months. This apprehension was based upon the tragic experience of the last two decades which have so clearly manifest the fact that in case of war no nation is immune from the danger of becoming involved in the conflict, however remote in its location. The recent spread of these disturbances in Manchuria to the area of Shanghai,^{55d} involving as it does the direct threat of danger to the interests of many nations, is further powerful evidence of this fact.

IV. The rapid development of events in Shanghai seems to the (rank) Governments to give full cause for the deepest apprehension of all nations who have been interested in the policy of the two treaties to which we have referred. It is unnecessary to attempt to analyze the origin of the controversy or to apportion the blame between the two nations which unhappily are involved. For it is clear beyond peradventure that a situation has now developed which cannot under any circumstances be reconciled with the covenants and the obligations of these two treaties and which is wholly abhorrent to the enlightened purpose for which they were conceived. There is now assembled in the port of Shanghai a Japanese force including over forty vessels of war and reinforced by a large expeditionary force of land troops. The very size of such an expedition is not only disproportionate to its avowed objective of protecting life and property in the city of Shanghai but is in itself provocative of counter-violence. Military airplanes have been bombing areas densely populated by helpless civilians of a nation with whom their operators are not ostensibly at war. Many miles away from the city where the alleged violence against Japanese nationals occurred, the Japanese government is now engaged in military operations on a large scale. It is inconceivable that if the leaders of these two nations had been fully and equally imbued with the purpose underlying these treaties and had been adequately mindful of the covenants therein such a situation could have been allowed to develop or that at some stage of this situation the nations could not have been otherwise

the very existence of the treaties themselves. This has been shown by the following occurrences which have greatly accentuated the concern of the (blank) Governments:

(1) In rejecting a recent proffer of good offices from the British, the American and the French Governments submitted at the request of Japan,^{95e} the Japanese Government has taken the position that it would not consent to the participation even as observers of any third nations in the discussions of questions arising between Japan and China in regard to that portion of China known as Manchuria.^{95f} This would seem to deny to any other power even a signatory of the Nine-Power Treaty the right to participate even as an observer in negotiations involving rights and obligations comprised within that Treaty.

(2) Again on February 8, 1932, the Foreign Office of the Japanese Government of Tokyo issued to the press of the world a suggested proposal that there should be created a system of "demilitarized zones" around the principal commercial cities of China, out of which the forces of the Government of China should be excluded. The representative of the Japanese Foreign Office in advancing this proposal frankly affirmed that it was contrary to the Nine-Power Treaty but asserted that ten years' trial had proved that treaty to be ineffective.

VI. The (blank) Governments do not concede that the Nine-Power Treaty is ineffective or inoperative or that it is to be discarded. They do not concede that such a situation as has arisen in Shanghai is inevitable, provided the covenants of the Nine-Power Treaty and the Pact of Paris are faithfully observed by those who have covenanted to observe them. They are unwilling to consent that the enlightened policy which has heretofore marked the efforts of the nations of the earth towards China and towards each other should be repudiated or abandoned without their most earnest reprobation. They do not intend to forego their legitimate prerogative, in view of their treaty rights and obligations, to participate together with the other powers concerned in any negotiations whereby those rights and obligations and the policies which they represent may be affected. They take this occasion to express these views in order that there may be no misunderstanding. They avail themselves of the opportunity afforded by the terms of Article seven of the Nine-Power Treaty to express frankly and without reserve their views upon these occurrences at Shanghai and their belief that if the covenants and policies of the Nine-Power Treaty and the Pact of Paris be allowed to be repudiated or repealed, the loss to all the nations of the world will be immeasurable. For this reason they further notify their fellow signatories and adherents to those treaties that they for themselves and each of them do not propose to recognize as valid any treaty, agreement, arrangement or situation which may be entered into or created in China by means of acts or policies which are in violation of the covenants of those treaties.

STIMSON

^{95e} See telegram No. 34, Feb. 1, 1932, to the Ambassador in Japan, p. 174.

^{95f} See telegrams No. 39, Feb. 4, 1932, and No. 44, Feb. 6, from the Ambassador

WASHINGTON, February 24, 1932—2 p. m.

50. For the Minister. Reference your February 9, 9 a. m., from Nanking, paragraph 2, and Nanking's 14, January 24, 4 p. m., paragraph 5, and Shanghai's 72, February 18, 6 p. m., paragraph 5.⁹⁶

1. There is now being released to the press here the text of a letter from the Secretary of State to Senator Borah, Chairman of the Committee on Foreign Relations of the Senate.^{96a}

You should communicate to the Foreign Office and make available to the press, at once, the text, as follows:

"You have asked my opinion whether, as has been sometimes recently suggested, present conditions in China have in any way indicated that the so-called Nine Power Treaty has become inapplicable or ineffective or rightly in need of modification, and if so, what I considered should be the policy of this Government.

This Treaty, as you of course know, forms the legal basis upon which now rests the 'Open Door' policy towards China. That policy, enunciated by John Hay in 1899,⁹⁷ brought to an end the struggle among various powers for so-called spheres of interest in China which was threatening the dismemberment of that empire. To accomplish this Mr. Hay invoked two principles (1) equality of commercial opportunity among all nations in dealing with China, and (2) as necessary to that equality the preservation of China's territorial and administrative integrity. These principles were not new in the foreign policy of America. They had been the principles upon which it rested in its dealings with other nations for many years. In the case of China they were invoked to save a situation which not only threatened the future development and sovereignty of that great Asiatic people, but also threatened to create dangerous and constantly increasing rivalries between the other nations of the world. War had already taken place between Japan and China. At the close of that war three other nations intervened to prevent Japan from obtaining some of the results of that war claimed by her. Other nations sought and had obtained spheres of interest. Partly as a result of these actions a serious uprising had broken out in China which endangered the legations of all of the powers at Peking. While the attack on those legations was in progress, Mr. Hay made an announcement in respect to this policy as the principle upon which the powers should act in the settlement of the rebellion. He said

"The policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire."⁹⁸

⁹⁶ None printed.

^{96a} Dated February 23, 1932.

In taking these steps Mr. Hay acted with the cordial support of the British Government. In responding to Mr. Hay's announcement, above set forth, Lord Salisbury, the British Prime Minister expressed himself 'most emphatically as concurring in the policy of the United States.'

For twenty years thereafter the Open Door policy rested upon the informal commitments thus made by the various powers. But in the winter of 1921 to 1922, at a conference participated in by all of the principal powers which had interests in the Pacific, the policy was crystallized into the so-called Nine Power Treaty, which gave definition and precision to the principles upon which the policy rested. In the first article of that Treaty, the contracting powers, other than China, agreed

1. To respect the sovereignty, the independence and the territorial and administrative integrity of China.

2. To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government.

3. To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China.

4. To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly states, and from countenancing action inimical to the security of such states.

This Treaty thus represents a carefully developed and matured international policy intended, on the one hand, to assure to all of the contracting parties their rights and interests in and with regard to China, and on the other hand, to assure to the people of China the fullest opportunity to develop without molestation their sovereignty and independence according to the modern and enlightened standards believed to maintain among the peoples of this earth. At the time this Treaty was signed, it was known that China was engaged in an attempt to develop the free institutions of a self-governing republic after her recent revolution from an autocratic form of government; that she would require many years of both economic and political effort to that end; and that her progress would necessarily be slow. The Treaty was thus a covenant of self-denial among the signatory powers in deliberate renunciation of any policy of aggression which might tend to interfere with that development. It was believed—and the whole history of the development of the 'Open Door' policy reveals that faith—that only by such a process, under the protection of such an agreement, could the fullest interests not only of China but of all nations which have intercourse with her best be served.

In its report to the President announcing this Treaty, the American Delegation, headed by the then Secretary of State, Mr. Charles E. Hughes, said ⁹⁹

During the course of the discussions which resulted in the Treaty,¹ Chairman of the British delegation, Lord Balfour, had stated

the British Empire delegation understood that there was no representative any power around the table who thought that the old practice of "spheres of interest" was either advocated by any government or would be tolerable to this Conference. So far as the British Government was concerned, they had, in the most formal manner, publicly announced that they regarded this practice as entirely inappropriate to the existing situation.'

At the same time the representative of Japan, Baron Shidehara, announced the position of his government as follows:

No one denies to China her sacred right to govern herself. No one stands in the way of China to work out her own great national destiny.'

The Treaty was originally executed by the United States, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal. Subsequently it was also executed by Norway, Bolivia, Sweden, Denmark and Mexico. Germany has signed it but her Parliament has not yet ratified it.

It must be remembered also that this Treaty was one of several treaties and agreements entered into at the Washington Conference by various powers concerned, all of which were interrelated and interdependent.² No one of these treaties can be disregarded without disturbing the general understanding and equilibrium which were intended to be accomplished and effected by the group of agreements entered into at the Conference. The Washington Conference was essentially a disarmament conference, aimed to promote the possibility of peace in the world not only through the cessation of competition in naval armament but also by the solution of various other disturbing problems which threatened the peace of the world, particularly in the Far East. These problems were all interrelated. The willingness of the American government to surrender its then commanding lead

For minutes of the Committee on Pacific and Far Eastern Questions, see *Conference on the Limitation of Armament, November 12, 1921-February 6, 1922* (Washington, 1922), pp. 862-1567.

The following treaties were signed at the Washington Conference:

(1) Treaty between the United States, the British Empire, France, Italy, and Japan limiting naval armament, February 6, 1922, *Foreign Relations*, 1922, vol. 1, p. 267.

(2) Treaty between the United States, the British Empire, France, Italy, and Japan relating to the use of submarines and noxious gases in warfare, February 6, 1922, *ibid.*, p. 267.

(3) Treaty between the United States, the British Empire, France, and Japan relating to their insular possessions and insular dominions in the region of the Pacific Ocean, December 13, 1921, *ibid.*, p. 33; supplementary declaration, December 13, 1921, *ibid.*, p. 36; supplementary agreement, February 6, 1922, *ibid.*, p. 46.

(4) Treaty between the United States, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal relating to principles and policies concerning China, February 6, 1922, *ibid.*, p. 276.

(5) Treaty between the United States, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal relating to the Chinese

in the Philippines without further fortification, was predicated upon, among other things, the self-denying covenants contained in the Nine Power Treaty, which assured the nations of the world not only of equal opportunity for their Eastern trade but also against the military aggrandizement of any other power at the expense of China. One cannot discuss the possibility of modifying or abrogating those provisions of the Nine Power Treaty without considering at the same time the other promises upon which they were really dependent.

Six years later the policy of self-denial against aggression by a stronger against a weaker power, upon which the Nine Power Treaty had been based, received a powerful reinforcement by the execution by substantially all the nations of the world of the Pact of Paris, the so-called Kellogg-Briand Pact. These two treaties represent independent but harmonious steps taken for the purpose of aligning the conscience and public opinion of the world in favor of a system of orderly development by the law of nations including the settlement of all controversies by methods of justice and peace instead of by arbitrary force. The program for the protection of China from outside aggression is an essential part of any such development. The signatories and adherents of the Nine Power Treaty rightly felt that the orderly and peaceful development of the 400,000,000 of people inhabiting China was necessary to the peaceful welfare of the entire world and that no program for the welfare of the world as a whole could afford to neglect the welfare and protection of China.

The recent events which have taken place in China, especially the hostilities which having been begun in Manchuria have latterly been extended to Shanghai, far from indicating the advisability of any modification of the treaties we have been discussing, have tended to bring home the vital importance of the faithful observance of the covenants therein to all of the nations interested in the Far East. It is not necessary in that connection to inquire into the causes of the controversy or attempt to apportion the blame between the two nations which are unhappily involved; for regardless of cause or responsibility, it is clear beyond peradventure that a situation has developed which cannot, under any circumstances, be reconciled with the obligations of the covenants of these two treaties, and that if the treaties had been faithfully observed such a situation could not have arisen. The signatories of the Nine Power Treaty and of the Kellogg-Briand Pact who are not parties to that conflict are not likely to see any reason for modifying the terms of those treaties. To them the real value of the faithful performance of the treaties has been brought sharply home by the perils and losses to which their nationals have been subjected in Shanghai.

That is the view of this Government. We see no reason for abandoning the enlightened principles which are embodied in these treaties. We believe that this situation would have been avoided had these covenants been faithfully observed, and no evidence has come to us to indicate that a due compliance with them would have interfered with the adequate protection of the legitimate rights in China of the signatories of those treaties and their nationals.

ernment formally notified Japan and China that it would not recognize any situation, treaty or agreement entered into by those governments in violation of the covenants of these treaties, which affected the rights of our Government or its citizens in China.³ If a similar decision should be reached and a similar position taken by the other governments of the world, a caveat will be placed upon such action which, we believe, will effectively bar the legality hereafter of title or right sought to be obtained by pressure or treaty violation, which, as has been shown by history in the past, will eventually lead to the restoration to China of rights and titles of which she may have been deprived.

In the past our Government, as one of the leading powers on the Pacific Ocean, has rested its policy upon an abiding faith in the future of the people of China and upon the ultimate success in dealing with them of the principles of fair play, patience, and mutual goodwill. We appreciate the immensity of the task which lies before her statesmen in the development of her country and its government. The delays in her progress, the instability of her attempts to secure a responsible government, were foreseen by Messrs. Hay and Hughes and their contemporaries and were the very obstacles which the policy of the Open Door was designed to meet. We concur with those statesmen, representing all the nations in the Washington Conference who decided that China was entitled to the time necessary to accomplish her development. We are prepared to make that our policy for the future.

Very sincerely yours, (Signed) Henry L. Stimson"

Repeat the whole of the above in clear at once to Tokyo.

STIMSON

4/4968

Memorandum by the Secretary of State^{3a}

[WASHINGTON,] April 4, 1932.

The Japanese Ambassador came to say that last Thursday he had received a communication from his Government which was very important but not so urgent as to require immediate delivery; that he therefore waited until I recovered and brought it to me today. The communication was to the effect that if the Assembly of the League of Nations, which he understands is going to meet before May first, should insist upon going into the question of Manchuria further than is already provided by the Council resolutions of September thirtieth and November tenth, Japan will be compelled to withdraw her delegates from the Assembly meeting. He explained that this did not mean that Japan was going to withdraw from the League of Nations; that

See telegram No. 7, Jan. 7, 1932, to the Ambassador in Japan, p. 76.

For a previous conversation with the Japanese Ambassador regarding these

teen power commission which had been appointed by the Assembly contained some very radical members. He mentioned Madariaga of Spain and I think Motta of Switzerland, although I was not quite clear of the last, and Japan feared that under these influences steps would be taken to press action in Manchuria which would conflict with Japan's policy. He said that this notice had already been given by Japan to Great Britain, France, Italy, Germany, Czechoslovakia, Greece and Belgium.

He then went on to point out points in Japan's favor: first, that she had been very loyally cooperating with the League in respect to Chinese affairs and in particular had been lending technical assistants to China. He then brought up Japan's peculiar position in regard to Manchuria and her interests in Manchuria and said that this prevented her from permitting outside intrusion into those questions; particularly that Japan could not permit the application of Article XV of the League Covenant to questions in Manchuria.

Then followed a little discussion between us as to what he meant by the Japanese position. I said that I recognized that Japan had always claimed certain important economic interests in Manchuria under certain treaties with China. He corrected me by adding economic *and political* interests in Manchuria. I denied the latter and asked whether he meant the Japanese claimed to exercise political control over Manchuria. I read him Baron Shidehara's statement⁴ in his reply to our note of November fifth⁵ and called his attention to the demand which was being made by the agents of the new Manchurian state for moneys from the customs and post office, accompanied by Japanese officers, and asked the Ambassador if that could be reconciled with the promise of Baron Shidehara in the third paragraph of page thirty-seven of that note.⁶ He admitted it could not. I asked him if Japan's desire not to discuss matters in Manchuria was going to prevent her from fulfilling her obligations under Article VII of the Nine Power Treaty in which she promised to communicate frankly on those subjects, and he said that it would not prevent that, but he was able to give no justification for the difference between that and the attitude of Japan toward Article XV of the Covenant of the League. He finally was reduced to an admission that promises had been broken but said that chauvinist conditions were so acute in Japan that the Government could not take any other position. I pointed out to him the seriousness of the situation when treaty promises began to be broken; I reminded him that the Nine Power Treaty was one of a group of treaties mutually interdependent. He admitted that that

on which we could rest for the stability of the world when treaty negotiations began to be broken; I reminded him of the many times I spoken of Japan as a stabilizing influence in the world and asked if he thought I could do so now. He said he remembered very well the encouraging words I had spoken at the time of the Emperor's birthday,^{6a} but he could only ask me to be patient with his people and to think of some constructive view of the situation that they were in Manchuria; that criticism only further inflamed the situation and played into the hands of the chauvinistic elements.

My purpose was to take a pretty stiff position with him so that he would not report to his government that I had shown any signs of yielding to the step that they were taking or the arguments they were putting up, and I think my object was fully complied with.

H[ENRY] L. S[TIMSON]

02 Manchuria/77

Memorandum by the Secretary of State

[WASHINGTON,] June 10, 1932.

I went to the Japanese Ambassador today and read over to him the *aide memoire* in respect to the Chinese customs administration in Manchuria. I told him that I understood that Great Britain had a few days ago already made a similar representation. I pointed out that we had been following it with anxious interest because this matter involved the rights and interests of the American Government with regard to certain bonds and obligations of the Chinese Government. The Ambassador said he knew this. I told him that this was not intended as a note but as a mere *aide memoire* of my conversation with him, and he asked me whether I was making a similar *démarche* through our Ambassador at Tokyo, and I said, no. He said that in the next event he would at once send this communication to his government.

H[ENRY] L. S[TIMSON]

[Enclosure]

AIDE-MÉMOIRE

The Department has received recent reports indicating that the present régime in Manchuria is contemplating taking over the Chinese Customs Administration in that area. The Chief Secretary of the present régime in Manchuria has issued a press statement to the effect

after which corrections will be included in the receipts of the new régime. The Department is also informed from other reliable sources that this is the intention of the authorities of the new régime and further that the new régime intends shortly to appoint an inspector general of Customs for Manchuria who will be a Japanese customs expert from Japan.

The American Government would view with great concern a violation of the integrity of the Chinese Maritime Customs by the disorganization of that service in Manchuria and it is believed that other governments would be similarly concerned. As is well known, the maintenance of the integrity of this Chinese administrative service involves the rights and interests of various foreign governments, including the American Government, in relation to certain fiscal obligations of the Chinese Government. Moreover, maintenance of the integrity of the Chinese Maritime Customs as a Chinese administrative service is of concern to the powers signatory to the Nine-Power Treaty in view of their commitments under that Treaty.

In view of the fact that, according to the information available to the Department, Japanese subjects, over whom the Japanese Government alone can exercise control, are the principal advisers to the authorities of the new régime in Manchuria, it has been felt necessary to bring this matter to the attention of the Japanese Ambassador.

793.94/5355 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, June 23, 1932—5 p. m.

[Received June 23—8:15 a. m.]

166. The Embassy is informed that the press has cabled to America the statement of General Araki⁷ before the Supreme Military Council on the 22nd to the effect that the resolutions of the League of Nations and statements made by Japan in regard to Manchuria before the establishment of Manchukuo can no longer be considered as binding on Japan. Araki has not made public any statement regarding the particular resolutions and statements to which he refers but the implications are that Japan will not withdraw its troops into the railway zone in compliance with the League resolutions and its own agreements and does not recognize the authority of the League of Nations Inquiry Commission to recommend solutions of the Manchurian problem.

Repeated to Peiping.

[WASHINGTON,] June 29, 1932.

The Ambassador called to say that Mr. Grew had called on Mr. Maeda^s and had left with him a memorandum, very short, expressing concern of this Government over the customs situation at Dairen. The Ambassador said that he was instructed by his Government to inform us that the Japanese Government felt very strongly the necessity of maintaining the integrity of the customs in Manchuria; that it would use its full influence with the Government of the State to have remitted to Shanghai the full amount of the customs necessary for the payments on the foreign loan. On the other hand, he said, the Government of Manchukuo felt that it should have the disposal of the surplus revenue over the amount due on the foreign loan since these revenues would be used for the benefit of the people of Manchukuo. I told the Ambassador that it seemed fairly obvious that the Manchukuo Government would do anything that the Japanese advisors told them to do. He said this was hardly the case, but, although he was willing to admit that the Manchukuo Government would not have come into existence without Japanese assistance and that it would certainly fall if Japanese troops were removed from Manchuria, that nevertheless this foster child was causing a good deal of trouble to the Japanese Government. He said that the Manchukuo authorities as well as their Japanese advisors often refused to accept the advice of Tokyo. I said this would only make it appear that they were more subservient to the Japanese military than they were to the Japanese Government. The Ambassador admitted that this might be the case. He referred to the fact that in 1927 the Administrator of the Customs, a British subject, had been removed because he would not obey orders from the new Nanking Government; that at that time Mr. Mase had become very friendly with the Nanking authorities and had got himself made Commissioner General. He said that at that time the Japanese had supported the dismissed British Commissioner General and that the British should have responded now by supporting Fukumoto, the Japanese Commissioner at Dairen. He said that he had not much sympathy with the position of Mr. Mase. I told him that I had to disagree with this; that Mr. Mase was obviously the captain and that if one of his lieutenants acted in an important matter directly contrary to his orders, there was no alternative other than dismissal. The Ambassador had to admit this was true, but insisted that Mr. Mase was rather changing

ernment felt strongly on the matter since Fukumoto was himself a Japanese. I admitted that he was a Japanese but pointed out that a Japanese taking a position as an employee of the Chinese Government would of necessity be under the orders of that Government, not of his own Government, exactly as would be the case with any other foreigner. The Ambassador obviously knew that he had very little ground to stand on, and could do no more than reiterate what he had said at first, that his Government was determined to do all in its power to maintain the integrity of the customs service.

WILLIAM R. CASTLE, Jr.

693.002 Manchuria/124 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, June 29, 1932—8 p. m.

[Received June 29—12:45 p. m.]

177. Telegram from the Department, No. 136, June 28, 5 p. m.⁹ This afternoon I carried out your instructions. Arita was informed that the American Government had heard with concern a report that the Chinese Maritime Customs at Dairen had been taken over by the present régime in Manchuria and that I had been instructed to inquire whether this report was true. It is felt, I told him, that the already existing problems of a most difficult nature which my Government most earnestly desires to see solved would be materially complicated by such action and that, as well as a threat to the security for certain fiscal obligations of the Chinese Government, the reported step would appear to be a violation of the integrity of the Chinese Maritime Customs service in which admittedly the American Government is interested. Therefore I was instructed to express the earnest hope that any action which may interfere with the integrity of the Chinese Maritime Customs service or which may run counter to treaty obligations will not be tolerated by the Japanese Government.

It was asserted by Arita that the revenues of the Manchurian customs were needed by the Manchukuo régime just as they had been needed and taken by Chang Tso-lin, but that the Manchukuo authorities through the good offices of the Japanese and British representations in Peiping were negotiating with the Nanking Government for a compromise whereby sufficient funds would be remitted from Dairen to Nanking to cover foreign obligations, while the surplus from

ed by Manchukuo. An interruption in these negotiations has occurred because of the dismissal of Fukumoto for refusal to remit to Shanghai the Dairen revenues, whereupon out of sympathy the entire Japanese staff in Dairen resigned. It was stated by Arita that the Japanese Foreign Office did not have any information that the flag of Manchukuo had been hoisted on the customs building at Dairen. Further, the work was being carried on *de facto* by Fukumoto and the Japanese staff and 800,000 taels had just been remitted to Shanghai. Arita said interference with the payment of the foreign obligations would not be countenanced by the Japanese Government. Meanwhile, with the initial condition that Fukumoto and his staff be retained to office, Arita asserted that the Japanese representative in Peiping, in connection with his British colleague, is using his good offices to mediate between Nanking and Manchukuo. He said that except for the customs in Dairen the Japanese Government has nothing to do with the customs in Manchuria.

A copy of this telegram has been sent to Peiping.

GREW

4 Commission/2924

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 16, 1932.

[Received August 6.]

DEAR MR. SECRETARY: If a brief resumé of the situation as we see it here would be helpful to you from time to time, I will send you a statement by the fortnightly pouch when there is anything to report.

The important event during the past two weeks was, of course, the visit of the League of Nations Commission which has just ended. General McCoy,¹⁰ on arriving, volunteered on his own initiative to talk to me of the information and impressions of the Commission. When I asked if he saw the slightest embarrassment in so doing he replied in the negative on the ground that all the Commissioners, by mutual consent, had agreed to talk freely though in strict confidence to their respective Embassies. The results of our talks will be found in my despatch No. 60 of July 16.¹¹

In a nutshell the Commissioners are unanimous in finding that Japan's action in Manchuria is based on two false premises: (1) the argument of self-defense and (2) the argument of self-determination for Manchuria. Neither argument is considered sound. The

of the railway and every subsequent incident in Manchuria since September 18, 1931, were carefully planned and carried out by the Japanese themselves. They consider that the setting up of this puppet state, far from tending to pacify the Far East, will result in a festering sore which will inevitably lead to future wars with China and Russia and a case of irredentism much worse than that of Alsace-Lorraine. They realize that the Japanese may supply a more efficient government in Manchuria than did the Chinese but that this fact in no way weakens the element of irredentism. They consider that the action of Japan runs directly counter to the provisions of the Nine Power Treaty, the Kellogg Pact and the Covenant of the League of Nations and that discussions with the other signatories should have been held before action was taken. They still recommend such discussions and delay in extending recognition to the Manchukuo regime. They feel that the case against Japan was made perfectly clear in their conferences by the Japanese themselves, even if they had talked with no Chinese at all. All of the foregoing, with the exception of the last sentence, was made clear to Count Uchida¹² in their two interviews with him. Count Uchida, on his side, stated unequivocally that Japan had made up its mind to recognize Manchukuo and that he could not consider any counter arguments nor enter into any discussion of the matter.

I do not of course know whether the report of the Commission to the League will clearly embody the foregoing points nor what its tone will be, but there seems to be no doubt that the five Commissioners are unanimous in their findings.

As regards the Japanese now carrying on the Manchukuo regime, I understand that all of the Commissioners feel that these officials are in fact directly subservient to the Japanese Government and that any evidence to the contrary is "window dressing". Some members of the Commission's staff are however inclined to believe the contrary and feel that these officials are "feeling their oats" and decline to be dictated to by Tokyo.

Whether the findings and opinions of the Commission, as expressed to Count Uchida, will have any influence on the Japanese Government and will lead to any modification of its attitude, it is impossible to predict. Probably not. At present it looks as if recognition would be extended to Manchukuo in the not very distant future, but if the step is taken, the Japanese Government will be doing it with their eyes fully open to western opinion.

In my telegram No. 188 of July 7, 11 a. m.,¹³ I said that from the point of view of purely practical results, as distinguished from the

that Japanese recognition of Manchukuo at the present time would be unwise. The press, which at present largely represents the point of view of the military, would under present circumstances be quite liable of magnifying such representations by the United States in a manner out of all proportion to their significance and an outburst might well occur which would afford the military a pretext for action more serious than the more conservative members of the Government may desire. That this risk exists is the opinion of every member of my staff. Naturally it is not for me to determine the wisdom of such representations from the legal point of view, or from the point of view of world public opinion and history which was brought out in our talk in New York in April. Apropos of this, a prominent peer recently said to a member of my staff, referring to the military: "I hope they will change their minds before they wreck the country".

The matter of the customs in Manchuria has, I believe, been fully covered in reports from here and from the various American Consuls in Manchuria. We have also covered the reaction in Japan to the President's disarmament proposal.^{13a}

Respectfully yours,

JOSEPH C. GREW

4Commission/338

The Minister in China (Johnson) to the Secretary of State

1656

PEIPING, August 2, 1932.

[Received August 29.]

SIR: With reference to my telegram No. 883 of August 1, 9 [8] a.m.,¹⁴ I have the honor to enclose herewith in confidence a copy of a letter addressed to the Chairman of the Commission of Study of the League of Nations now investigating the causes of trouble between Japan and China by the Japanese Assessor,¹⁵ which encloses an epitomized record of the statements which Count Uchida made at the interviews with that Commission in Dairen and Tokyo. I was permitted to make copies of this document for my confidential information. I have the honor to request that the Department treat the document as confidential.

As stated in my telegram, my information is that while this document does not accurately set forth all that Count Uchida said

¹⁴ See White House press releases of June 22 and 23, 1932, Department of State, *Press Releases*, June 25, 1932 (vol. VI, No. 143), pp. 593, 595.

¹⁵ Not explicitly itemized in the enclosure transmitted in this despatch.

as Minister of Foreign Affairs will follow in dealing with the Manchurian situation.

Respectfully yours,

NELSON TRUSLER JOHNSON

[Enclosure]

Epitomized Record of Statements Made by Count Uchida at Interviews With the League of Nations Commission in Dairen and Tokyo

1. Some time ago at Dairen I had occasion to state frankly to Your Excellencies my personal views based upon my experience in connection with Manchuria, acquired in varied capacities during the past quarter of a century. To-day as Minister for Foreign Affairs I can discover no ground whatsoever for modifying those views on any essential point.

2. All the international disputes which have occurred in recent years in the Far East may be chiefly attributed in the first place to the fact that China disunited and destitute of control does not, taken as a whole, constitute a duly organized state, and in the second place to the revolutionary foreign policy of the Nationalist Government, strongly influenced as it is by communist doctrine imported from abroad. And it is not Japan alone, but all the Powers which possess important interests in China, that must suffer from such state of affairs now existing in China.

3. Unfortunately extreme difficulties are encountered in any attempt to repair the injuries thus sustained by the various Powers, through any appeal to the Covenant of the League of Nations, the Nine Power Treaty, the Anti-War Pact, or any other existing treaty intended for the maintenance of international peace. In fact, it has been the practice among the principal Powers to rely upon their own resources whenever their rights and interests in China were actually, or were in danger of being, seriously impaired. The recent history of China is full of examples of such cases, in which reparation for, or the prevention of, damage to their interests was effectuated by foreign Powers upon their own account.

4. Japan, as a country more intimately connected with China both historically and geographically, than any other, and possessing by far the greatest interests in China, has had to suffer more than other countries from the anomalous situation in China as I described above. As far as Japan was concerned, she naturally hoped to see China experience a re-birth and come to realize her true role in maintaining the peace of the Far East. For more than twenty years, especially

show any trace of improvement; on the contrary, they grew notably worse. It was at a moment when the feeling of our people was run high in face of the ever increasing Chinese provocations, that Manchuria, Japan's first bulwark, where, staking the fortunes of the country, we fought two great wars with China and with Russia in order to repel their aggressions and, where our country's vital interests on the Continent of Asia are centered, the sudden incident of September 18th occurred. We had no other course than to take effective measures of self-defence.

As a consequence of Japan's action, the power of General Chang Ch-liang in Manchuria was extinguished. Influential people of Manchuria, who had long chafed under the misrule of the Changs, were opposed to their policy of dragging Manchuria into the turmoil of Chinese civil war south of the Great Wall, seized the opportunity to set up an independent state.

Manchuria is a country quite apart from China Proper, geographically and in psychological characteristics. The population, though largely of Chinese origin is composed largely of these Chinese who, driven out of their homes in China Proper by famine and flood, by poverty and oppression, fled to Manchuria seeking to start a new life in that land where they could enjoy comparative security and independence owing to Japan's vigilance and enterprise. Moreover, historically viewed, Manchuria has never constituted a purely integral part of China. Especially during recent decades has it been demonstrated on innumerable occasions that the authority of no government in China Proper extended to Manchuria.

The founding of Manchukuo was only an outcome of the subterranean revolutionary movement of many years' standing, which has now come to the surface as a sequel to Japan's actions of self-defence, and which proved successful owing to the peculiar characteristics which separate Manchuria from China Proper. The independence of Manchuria should, therefore, be regarded as essentially a phenomenon of the political disintegration in China.

There may be more than one plan for the solution of the Manchurian problem. The Japanese Government believe that the problem should be solved with the aim in view of ensuring the security and stability of Manchuria as well as the permanent peace of the Far East, and that at all events the mistake should not be made of rendering the situation uncertain and so perpetuating occasions for future disputes. It would be intolerable if, as the result of any temporizing measure of expediency or compromise, there should be resuscitated Manchuria conditions analogous to those that prevailed there prior

of an anti-Japanese and disorganized China over Manchuria. Moreover, the authorities of Manchukuo, who have repeatedly declared their intention completely to separate themselves from the corrupt and foul politics of China Proper and to set up an honest and able government, would not consent to a plan which would utterly defeat their ideal and aspirations.

I believe that any plan which might be formulated, in which no account is taken of the existence of Manchukuo as an international state, will fail to bring order and stability to Manchuria and tranquility to the Far East.

7. The recognition of a new state or government is not a matter for the exercise of the choice or fancy of other states. It is a step imposed upon them by the necessities of international intercourse. It is rightly felt intolerable that a country should be compelled for any length of time to regard the government which actually controls its nearest neighbor as devoid of all substantial authority and title, and as incompetent to represent it abroad. As Manchukuo is the outcome of a local movement of self-determination on the part of the inhabitants, who have undoubtedly been much oppressed in the past, as above observed, there can be no question, in recognizing its existence, of any inconsistency with the Nine Power Treaty of Washington whose provisions Japan is most anxious to observe. The object of the Treaty was not to exempt that region from the usual and normal operation of the law of nations which legitimizes *de facto* governments, nor to perpetuate an integrity of discord. It would be directly contrary to its terms to hold that China must forever seethe in anarchy and that no part of the ancient Chinese territory can ever be allowed to erect itself as an island of peace and security, but must be forced down into the morass of discord and disorganization by eight civilized Powers. In short, the Nine Power Treaty does not forbid Chinese in any part of China to establish of their own free will an independent state, and it does not, therefore, constitute a violation of the Treaty to accord recognition to a new state so founded. There is no doubt that Manchukuo, if given fair and untrammelled opportunity by Japan and other Powers, will quickly develop into a strong and stable nation, and so given a much needed lead to the establishment of a strong and stable government in China.

TOKYO, August 13, 1932.

[Received August 27.]

DEAR MR. SECRETARY: The outburst in Japan against your speech before the Council on Foreign Relations ¹⁶ savors distinctly of a tempest in a teapot if not of a guilty conscience on the part of the Japanese, but we now understand that the speech was merely an academic discussion of a hypothetical case, while the Japanese took it as a specific charge of guilt. Unfortunately I was unable to take any steps to mitigate the effect here, because neither the text of the speech nor a résumé of its substance and intentions have reached me, and by the time the text arrives from Shanghai the incident will presumably be forgotten. However that may be, the Foreign Office has used the speech liberally to pour fuel on the temporarily quiescent flames of public animosity against the United States. I say deliberately, because the present Japanese press reaction was based not on the press despatches from the United States but on the Foreign Office's inflammatory interpretation of Debuchi's cabled account, and this interpretation was given to the Japanese press a day before it was released to the foreign correspondents.

This situation reminds me strongly of the efforts of the German Government, by calumniating foreign nations, to build up a public war mythology in 1914, the effort being repeated whenever some new venture, such as the indiscriminate submarine warfare, was about to be launched. Here in Japan the deliberate building up of public animosity against foreign nations in general and the United States in particular has doubtless a similar purpose—to strengthen the hand of the military in its Manchurian venture in the face of foreign, and especially American, opposition. I believe that on the part of the Japanese it is a sign of weakness, not of strength. The internal economic and financial situation in Japan is serious and may become desperate. The plight of the farmers is very bad, many industries are now ebbing, unemployment is steadily increasing. The yen is falling and prices have not yet risen proportionately. Money cannot be obtained from abroad; I was recently told, although I cannot vouch for the reliability of the information, that the Government had tried without success to obtain loans from England, France and Holland. It will become increasingly difficult to obtain domestic loans. The situation is not critical, but it may become so when the ability of the National Bank of Japan to absorb domestic bonds comes to an end.

problematical, and when the full purport of these expenses known to the people, in their own serious deprivation, telling what effect it will create. I believe that a steady anxiety exists among the Government and the thinking country outside of the hot-headed military clique which face these facts. It seems to be primarily this military vocalized by such men as Shiratori¹⁷—who believe that the obscure these facts is to work the public into a patriotic and historic fervor by representing foreign nations, particularly the United States, as trying to thwart Japan's efforts for alleged self-protection.

Such a national temper is always dangerous. The German military machine, supported by a carefully nurtured public war spirit, took the bit in its teeth and overrode all restraining influences. The Japanese military machine is not dissimilar. It has been at war, feels prepared for war and would welcome war. It has never been beaten and possesses unlimited self confidence. I am not an alarmist but I believe that we should have our eyes open to future contingencies. The facts of history would render it wise to close them.

In this connection the enclosed memorandum prepared for the Embassy,¹⁸ which will be incorporated in a despatch, may be of some significance.

Respectfully yours,

JOSEPH W. KATZ

793.94Commission/325 : Telegram

The Minister in China (Johnson) to the Secretary of State

PEIPING, August 15, 1911

[Received]

953. Following is translation of a document in the French language handed in identic copies to be given Commissioner[s] of the League of Nations Commission by the Japanese Assessor. Document is but represented to be Debuchi's account of what the Secretary said to him.

"I understand perfectly that Japan has special and vital interests with Manchuria and as a consequence I faithfully respect the interests of Japan in that region; and I certainly have no intention to make America a rival of Japan in Manchuria. However, I intend to be faithful to the spirit of both the Kellogg Peace Treaty and the Nine-Power Treaty, I find myself obliged to say things which at times may not be very agreeable to your country; I hope that you will understand this. Moreover, my last speech was simply

¹⁷Toshio Shiratori, Director of the Bureau of Intelligence, Japanese Ministry of Foreign Affairs.

OCCUPATION OF MANCHURIA

tion of the happenings affecting the fundamental spirit and intention of the Kellogg Pact: I did not intend to make use of the word 'aggressor' which I am told has been so severely criticised in Tokyo. I especially preceded it with the indefinite order that I might express myself in the abstract."

793.94 Commission/325 : Telegram

The Acting Secretary of State to the Minister in China (

[Paraphrase]

WASHINGTON, August 17, 1931

264. Legation's 953, August 15, 9 a. m. With reference to the statement handed to the members of the League Commission by the Japanese Legation Assessor, the statements attributed to the Secretary differ in a considerable degree from the Department's record of the statement made by the Secretary on August 10 to the Japanese Ambassador by the Secretary. The consequence that the distorted version which was supplied to the Commission gives the impression that the attitude of the Secretary is more lenient toward Japanese operations in Manchuria and more an expression of the Secretary's personal opinion than is actually the case.

In summing up his views on the Manchurian situation, the Secretary of State mentioned to the Ambassador his sympathy with the rights of the Chinese in Manchuria, with which he asserted he had no desire to quarrel. Further, the Secretary said he knew that there was no intention on the part of the United States to intrude or become a power in Japan in Manchuria. Whatever his own views might be, he had no intention of saying anything in his speech of August 8 for the purpose of annoying Japan; that on the contrary his purpose in the speech had been very painstaking in order to make clear that nothing was said in the speech which might justly cause offense. However, the Secretary very seriously pointed out to the Ambassador his real position: namely, that the speech of August 8 was only an expression of his views and those which in his opinion were the views of the United States.

With regard to the foregoing information General McCoy orally and confidentially, and the Government has no objection to his communicating it orally to the other members of the League Commission and they should receive this information.

893.01 Manchuria/429 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

Tokyo, September 1, 1931

[Received September 1, 1931]

224. I cannot too strongly impress upon the Secretary of State the importance of reference to my letter of August 13 to the Secretary of State. In view of the nature of foreign opposition of whatever nature, the Government of Japan firmly intends to see the Manchuria venture through. If the venture is prevented by superior physical force, it is determined that the Government, by conviction, furthermore, of the elements which make up the Government and policy of the Government is that their conviction of the necessity of termination is strengthened by this conviction. The Government, as an intelligent people, can honestly credit the Government of the United States of self-determination for Manchuria is difficult to see. The Government has evidence of a genuine conviction that their whole policy in regard to Manchuria is one of supreme and vital national interest. The Government's defense, and that they are prepared and determined to meet any necessary with arms, all opposition on that basis. The Government is carried by conservative statesmen. I wrote you on August 13 that these conditions; these are being steadily gone on with. The Government of the United States as their greatest stumbling block. The Government expects the report of the Lytton Commission to be the basis of action of the League of Nations to be possible. The Government's present talk of friction with Soviet Russia is completely unfounded.

Observation and information from many sources have been received from the Government of the United States.

OCCUPATION OF MANCHURIA

893.01Manchuria/467 : Telegram

The Ambassador in Japan (Grew) to the Secretary

Tokyo, September 15, 1931

[Received September 15-1931]

232. The signed protocol recognizing Manchukuo and its government was substantially the points outlined in my 223, September 14, 1931, was released to the newspapers this morning for publication at 4 p. m., Tokyo time. As the press correspondents and the American newspapers the full text of the Foreign Office's version of the protocol, I shall not telegraph the text, but will telegraph by mail the Embassy's translation upon its appearance in the Japanese Gazette.²⁰

Uchida did not call the representatives of foreign countries to the Foreign Office to receive the protocol and his explanation of it, but instead issued a public statement for publication simultaneous with the protocol.²¹ This statement contains the familiar Japanese version of self-defensive measures taken by Japan and of self-defense by Manchukuo; outlines the internal and external policy of Manchukuo, including the eventual abolition of extraterritoriality; a multilateral agreement; expresses satisfaction in the development of Manchukuo; states that the protocol was signed to secure tranquility in Manchuria and to guarantee security to the Japanese Empire and the peace of the Far East; mentions the various points contained in the protocol; disclaims any Japanese designs in Manchuria, which fact is reaffirmed by the terms of the protocol; states that Manchukuo has agreed to the principle of the open door and hopes that the peoples of the world will develop economic activities in Manchuria on a basis of equal opportunity and expresses the expectation that the powers will develop diplomatic relations with Manchukuo.

Repeated Peiping.

Japan to accept.

2. The War Office professes indignation at the unfair report; particularly at denial of the Japanese plea of self-defense and at the statement that the existence of the new state is due to the connivance of the Japanese Army.

3. The press takes its cue from the Foreign Office. The report is criticised as biased and ignorant of facts; the recommendations as ignoring the actual state of affairs; the proposals and recommendations as impractical and untenable by Japan. Press urges the Government to carry out its own solution of the Manchurian problem. It declares the report will simply aggravate, instead of solve, the situation, and that the labors of the Commission have been wasted. It states that if the report had been issued earlier the recommendations might have been of use, but at the present time with a Government established and formally recognized, no practical solution can be obtained.

4. Other comments range from mild criticism to harsh abuse. The Minseito²³ has issued a statement condemning the report and urging the Government to ignore the recommendations.

Repeated to Peiping.

793.94 Commission/536 : Telegram

The Secretary of State to the Ambassador in Japan (Grove)

[Paraphrase]

WASHINGTON, November 21, 1932

181. It is reported by Hugh Wilson²⁴ and Norman Davis that on November 19 Matsuoka^{25a} called on them and made statements of the following effect:

(a) There is nothing which will divert Japan from its present policy in respect to Manchuria, for this is the only one which will put an end to the conditions existing in that area.

(b) He had informed the Soviet Government while he was in Moscow that the fear of Russia was one of the mainsprings of Japanese activity in Manchuria, an area where Japan must have security.

(c) The hostility of Japanese public opinion toward American disarmament is dangerous. Public opinion is convinced that several attempts

²³ Japanese political party.

²⁴ American Minister in Switzerland, and alternate delegate at the Disarmament Conference.

...China and to get control of the railway situation in that area. Rapidly diminishing is the large body of influential Japanese opinion which heretofore was friendly. In spite of the fact that thinking Japanese realize American public opinion has no thought of war, the Japanese Government may be forced to take sides with the already formed public opinion in the event of some incident.

(7) Any solution by the League which does not take into consideration the existence of "Manchukuo" and its recognition by Japan, have to be rejected by Japan. In case there is a concerted derogation of Japanese dignity, the only recourse for Japan will be to leave League of Nations.

In rejoinder, it was suggested by Davis that it did not look hopeful for a constructive settlement if Japan's attitude was an irreconcilable

Davis outlined the fact that America recognized Japan's interests and difficulties, and pointed out that the Secretary of State was animated by no feeling of hostility toward Japan but on the contrary by the conviction of what were the best interests of Japan as well as by American rights and duties under certain treaties and the interest of world peace. Davis continued by stating that Japan had a wonderful opportunity, provided it would adopt a constructive attitude, to solve this problem in concert with, and with the moral support of, the nations of the world, and that this opportunity should be embraced by Japan. In his attitude Matsuoka remained dubious. He reiterated the danger which lay in the hostility towards America among the Japanese. He stated that the Japanese are a race which is patient for a long time, but a point is arrived at which, with suddenness and violence, the repressed irritation breaks bounds and expresses itself.

STIMSON

44Commission/536 : Telegram

Secretary of State to the Minister in Switzerland (Wilson) ^{25b}

[Paraphrase]

WASHINGTON, November 21, 1932—6 p. m.

7. With regard to your 45, November 19, 8 p. m.²⁶

The Department is acquainted with the personality and methods of Matsuoka. In this conversation, the position which he took on behalf of his Government was to be expected. He will function as a clever advocate. That may be assumed. It is doubtful, however, whether in well-informed and thoughtful circles the strategy and tactics will carry conviction.

Telegram sent to the American delegation at the General Disarmament

and fostered artificially for the purpose (a) of securing popular support at home for the policy of the military and (b) of inducing timidity of attitude on the part of foreign governments by creating a fear psychology abroad.

As for the statements about the interest of America in the railroad situation in Manchuria, they are a revival of a Japanese and Russian bogey, and so far as this country's policy is concerned they have no basis in fact and wherever encountered should be designated as Japanese-Russian fiction which is fostered to deceive those who are open to deception.

2. Yesterday, a mimeographed "Summary of Observations on the Report of the Commission of Inquiry,"²⁷ copies of a statement by Viscount Ishii on Manchukuo, and a publication issued at Changchun entitled "A General Outline of Manchukuo" were distributed here by the Japanese Embassy. In the summary superficiality and a pro-Chinese bias are attributed to the work of the Commission. Japan's acts, it affirms, have been necessary acts of self-defense and have not violated any treaty, and it claims the independence movement in Manchuria was and is autonomous. The summary indicates a strategy of appeal to public opinion in order to induce the acceptance of a *fait accompli*. We believe its contents rather than strengthening Japan's case are such as to weaken it in informed and responsible quarters.

In the event that Japan does follow the course which Matsuoka indicated in his conversation with you and which is set forth in this "summary of observations," the issue is clearly drawn: In regard to this situation Japan declares herself sole judge of fact and law; Japan denies that the League has any right of jurisdiction; the intelligence and integrity of the Lytton Commission are assailed, and thereby Japan repudiates an agency which was her own suggestion and which was set up under a resolution upon which she voted in the affirmative;²⁸ consequently, the entire question of the rights, obligations, and interest of the League as such is brought up and the authority and prestige of the League directly challenged.

In the light of treaties and of principles of world welfare as involved in the peace movement, it is, of course, also a challenge to the whole world. But at this juncture most important is the issue

²⁷ For the text of the observations of the Japanese Government on the report of the Commission of Enquiry, see League of Nations, *Official Journal*, Special Supplement No. 111, p. 88.

²⁸ Resolution of December 10, 1931, p. 59.

ority to the League.

Davis' rejoinder to Matsuoka was thoughtful and skillful and he to congratulate him.

STIMSON

1/5709

Memorandum by the Secretary of State

[WASHINGTON,] January 5, 1933.

The Japanese Ambassador came in with the remark that he felt that his presence seemed to coincide with a new outbreak of war. He said that he was without instructions from his Government but that from the information he received this affair at Shanhaikwan was a local incident, provoked by a minor outbreak of violence against the Japanese there, and that when the Japanese who sought permission to bring troops in to stabilize the situation reached the Gate of the City they were shot at and a Lieutenant and several soldiers killed. He said that the news he got from the Ambassador Muto,²⁹ who is also General, indicated that some troops of the Japanese had now been withdrawn and there was reason to believe that unless there was further provocation in Jehol by Chang Chih-liang the matter would be controlled. He said that in any case Japan had no territorial ambition south of the Great Wall. He reminded the Ambassador that a year ago he had told me Japan had no territorial ambitions in Manchuria. He became flustered and said that that was so but the situation had changed greatly. At any rate, he could now assure me that they had no such ambitions in North China. He said further that in Japan he thought that the military were progressing; that Saito^{29a} was getting better control, and he regarded this incident at Shanhaikwan as a test incident as to whether the military elements still remained in control or whether the civil government had regained its position.

He reminded the Ambassador that just before he went away he told me that the Japanese Government was in the control of a group of younger officers, none of them of a higher rank than a Lieutenant-Colonel, and I said to him that he must recognize that as long as that situation lasted I could not regard Japan as a normal Government and must make my own conclusions as to information coming from her. He said he remembered that situation but he found that

²⁹Nobuyoshi Muto, Japanese Ambassador in "Manchukuo"

incident at Shanhaikwan he regarded as a test of whether that was so. But he said he must in all frankness tell me that no Japanese Cabinet which advocated a compromise of the Manchukuo question could survive in Japan; that must be regarded as a closed incident. I told the Ambassador that in that case I could see, on my part, no other course than for Japan to get out of the League of Nations and the Kellogg Pact. I went over the situation of the basic policy of this Government and the rest of the world and Europe, arising out of the Great War which had brought us to the conclusion that another war might destroy our civilization and which had made us determined to support the peace machinery which would render such a recurrence impossible. We recognized that Japan had a right to live her own way, provided she did not break treaties which she had made, and that if she was determined to lead a life differently from what we were determined to do I saw no other way but for her to withdraw from the associations and treaties which we proposed to abide by.

H[ENRY] L. S[TIMSON]

793.94/5746

Memorandum by the Secretary of State

[WASHINGTON,] January 12, 1933.

The Japanese Ambassador reminded me that he had informed me on his last visit that the trouble at Shanhaikwan would be localized. He said he now came to confirm it. There had been no further aggression there during the week. I asked him what about the press reports of large movements in Jehol. He said he thought that was very much exaggerated; that during the present bitter winter weather no such movements were probable, and he hoped therefore that the press reports were untrue. The Ambassador said further that the movements of insurgents in the neighborhood of Pogranichnaya on the Chinese Eastern Railway had been dealt with effectively and that now the Chinese Eastern Railway and all the other railways in Manchuria were in regular operation; that the Japanese estimates of the number of insurgents in Manchuria had been originally two hundred thousand and that now they were reduced to forty thousand. I told him that I was surprised at his figures because my information was that the number of insurgents in Manchuria against Japanese domination was thirty million.

The Ambassador then changed the subject to the coming meeting

that if I should, I feared, I would not follow it. He said of course there was one thing that must be regarded as not susceptible of compromise—that was the recognition of Manchukuo; that was a matter of principle which could not be compromised. Then I said: you take the position which is equivalent, I suppose, to requesting that the fifty other nations of the world should compromise their principles."

As he went out the door I said to the Ambassador in all seriousness I could advise him not to inform his Government that the American Government was likely to change the position which it had taken liberately as a matter of principle in these matters. He said there was no danger of his doing so; that when he was in Japan many people came to him and said that they supposed that when the new American Administration came in on March 4th, that Administration's policy towards Manchuria would be changed; that he had always replied to them that that was not so—that the policy of the note of January 7th³⁰ of our attitude towards the peace treaties was a policy which was in general favor throughout the United States and represented all parties.

94/5785b : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, January 18, 1933—1 p. m.

According to the American press President-elect Roosevelt on January 17 wrote out, in reply to a question, a statement reading as follows:

Any statement relating to any particular foreign situation must, of course, come from the Secretary of State of the United States. I am, however, wholly willing to make it clear that American foreign policies must uphold the sanctity of international treaties. That is the cornerstone on which all relations between nations must rest".

STIMSON

94Commission/812 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, February 20, 1933—5 p. m.

[Received February 20—7:07 a. m.]

3. The Foreign Office spokesman stated definitely this afternoon that the Cabinet this morning decided that Japan will secede from the League of Nations if that assembly adopts the report and recommendation of the Committee of Nineteen but that the time and manner of

formulating the counter-statement to the report and recommendations. The newspapers further report that it was decided that Japan will not give definite notice of withdrawal until after the return of Matsukata to Japan after the middle of March.

[Paraphrase.] The decision to withdraw cannot yet be said to be final, since it must obtain Imperial sanction after approval by the Privy Council, but the opposition to withdrawal seems to have been overcome. The step may be intended as a last-minute threat to the League in the hope of averting the adoption of the report and recommendations.³¹ The haste with which the Cabinet acted indicates such a possibility. [End paraphrase.]

The Foreign Office spokesman this morning also intimated that the Japanese advance into Jehol can now be expected to commence at any moment.

Repeated to Peiping.

GREW

894.00/467 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, February 23, 1933—1 p. m.

[Received February 23—7:42 a. m.]

45. Consideration should be given to the following factors in estimating the situation in the Far East:

Japan has prepared—by the Cabinet's decision to leave the League of Nations—to destroy her most important link with other countries, thereby indicating a fundamental defeat for the moderate elements in Japan and the complete supremacy of the military. In order to demonstrate her independence of and disregard for Western interference with what she conceives to be her own vital interests, Japan has forestalled or followed by a *fait accompli* every important step made by the League of Nations. Japan's attitude is entirely free of bluff. Rather than surrender to moral or other pressure from the West, the military themselves, and the public through military propaganda, are fully prepared to fight. At present their determination is not modified but only strengthened by the moral obloquy of the rest of the world. Further assassinations, if not internal revolution, would almost certainly follow any tendency on the part of the Government to compromise.

³¹ For the text of the report (including the recommendations) of the Special

the determination of the military to brook no interference whatever and its desire to maintain prestige;
The saving of face which permits no step backward and which is of essential importance;
The belief, which has been carefully nurtured, that the "life line" of Japan is Manchuria;
The intense exasperation with the failure of the Chinese to fulfill their treaty obligations and with the former chaotic conditions of Manchuria;
The military's complete disregard of future financial difficulties arising out of the huge expenses which the Manchurian campaign entails;
The fundamental inability of the Japanese to comprehend, when posed to their own Far East interest, the sanctity of contractual obligations.

It is believed that, with regard to the advance into Jehol, special measures have been taken to avoid going south of the Great Wall even though the campaign may be rendered considerably more costly and difficult by this decision. It would not be wise, however, to disregard the possibility that the taking of the Peiping-Tientsin line might eventuate from unforeseen developments or incidents. The occupation of North China would very likely be Japan's reply to the application of active sanctions by the League of Nations. This constitutes the greatest future potential danger. It would, of course, drag foreign interests into direct conflict with Japan.

Military propaganda, it may be said, has caused a large section of the public and the army to regard as inevitable war between Russia and Japan or between the United States and Japan or with both countries. The naval and military machines are rapidly being lengthened and are in a high state of efficiency, possessing complete self-confidence and arrogance, while the bellicosity of the Navy is increasing. There is always the risk that, in the present temper of the Navy and the Army and the public, Japan might be led to reckless steps, without counting the cost thereof, by any serious incident which tended to inflame public opinion. The conditions described in my telegram No. 224, September 3, noon, are still precisely the same in this respect.

The opinion of most of the diplomats and other foreigners in Tokyo and of the principal members of my staff is represented in the foregoing brief summary.

The Embassy is without information with regard to military developments in Jehol because strict press bans prevent the publication of any information about the present operations in Jehol.

The Legation at Peiping has been sent a copy of this telegram.

[WASHINGTON,] February 23, 1933.

The Japanese Ambassador came to tell me on the instruction of his Government that the State of Manchukuo was determined to suppress the irregular forces in the Province of Jehol; that under the Treaty between Manchukuo and Japan, Japan was obliged to support Manchukuo and therefore the Japanese forces were co-operating in this movement in Jehol. He said, however, that his Government instructed him to say they did not intend that the Japanese forces should cross the Great Wall or enter into the Peiping-Tientsin district, unless some action by Chang Hsueh-liang made it necessary for them to do so. I reminded him that on his last visit, at the time when Japan had seized Shanhaikwan, he had told me he thought that that action would be localized and that he regarded the success of its localization as a test of whether the civil or the military powers of the Japanese Government were in control, and I asked him how his views as to that test were now affected by this movement of the Japanese forces into Jehol. He was a little embarrassed, but he said that the seizure by the Japanese forces of Shanhaikwan was an entry into North China south of the Wall, and that what he referred to when he spoke of the "test" was any further incursions into the Peiping-Tientsin area. He said that the military command of Japan recognized the various interests which were concentrated in the Peiping-Tientsin area and the consequent danger of an incursion into that area, and they did not want to go. I said, "Then you indicate by that remark that it is not a question of the civilian portion of the Japanese Government controlling the military, but of the military controlling themselves." He replied that this incursion into Jehol which was north of the Wall, they did not regard as an incursion into China proper; that Jehol had always belonged to Manchukuo; that the last Governor of the Province of Jehol had been appointed by Marshal Chang Tso-lin, the father, and not by the Chinese National Government; and that Jehol was therefore a part of Manchukuo and Manchukuo was resolved to exterminate the irregulars in that Province, and in this case the civilian authorities of Japan were acting in collaboration with the military, and it was not their intention to go into the Peiping area. He asked me to take this last fact as a confidence, lest otherwise the Chang Hsueh-liang forces might trade upon that fact. I reminded him that it had already been made public in the press and he said he remembered that, but nevertheless his Government had asked that it not be published by me. I told him I would

Whereas, in virtue of Article 3, paragraph 3, of the Covenant, the Assembly may deal at its meetings with any matter affecting the peace of the world, and therefore cannot regard with indifference the development of the Sino-Japanese dispute;

and whereas, according to Part IV, Section III of the report adopted by the Assembly in virtue of Article 15, paragraph 4, the Members of the League "intend to abstain from taking any isolated action with regard to the situation in Manchuria and to continue to concert their action among themselves as well as with the interested States not Members of the League" and, "in order to facilitate as far as possible the establishment in the Far East of a situation in conformity with the recommendations of the present report, the Secretary-General is instructed to communicate a copy of this report to the States non-members of the League who are signatories of or have acceded to the Pact of Paris or the Nine-Power Treaty, inform them of the Assembly's hope that they will associate themselves with the views expressed in the report, and that they will, if necessary, concert their action and their attitude with the Members of the League":

The Assembly decides to appoint an Advisory Committee to follow the situation, to assist the Assembly in performing its duties under Article 3, paragraph 3, and, with the same objects, to aid the Members of the League in concerting their action and their attitude among themselves and with the non-member States.

The Committee will consist of the representatives of the Members of the Committee of Nineteen and the representatives of Canada and the Netherlands.

The Committee will invite the Governments of the United States of America and the Union of Soviet Socialist Republics to co-operate in its work.

It shall report and make proposals to the Assembly whenever it thinks fit. It shall also communicate its reports to the Governments of the States non-members of the League which are co-operating in its work.

The Assembly shall remain in session and its President, after consulting the Committee, may convene it whenever he thinks fit.

GENEVA, February 24, 1933—7 p. m.

[Received February 24—5:22 p. m.]

125. My 122, February 22, 7 p. m.³³ Drummond's letter to Secretary of State transmitting the report³⁴ and requesting an expression of the view of the American Government was handed me today. The letter reads as follows:

"By the last paragraph of the report which the Assembly of the League of Nations has adopted today I am instructed 'to communicate a copy of this report to the states nonmembers of the League who are signatories of or who have acceded to the Pact of Paris or the Nine Power Treaty, informing them of the Assembly's hope that they will associate themselves with the views expressed in the report and that they will if necessary concert their action and their attitude with the members of the League.'

Accordingly, I have the honor to transmit to you herewith a copy of the report as adopted by the Assembly. I should be grateful if you would communicate to me so soon as you find it possible to do so the reply of the Government of the United States to the hope expressed by the Assembly in the words which I have quoted.

I venture at the same time to draw your attention to the text of recommendation 3 which will be found in part 4 section 2 of the report. That recommendation lays down that if the two parties accept the recommendations of the Assembly it will be my duty to inform your Government thereof and to invite it to appoint, if it should wish to do so, a member of the negotiations committee which is to be set up. This question does not at present arise inasmuch as only one of the parties has today accepted the report. Should the recommendations of the Assembly be later accepted by both parties I shall not fail to address the above invitation to your Government without delay."

WILSON

793.94Advisory Committee/3: Telegram

The Minister in Switzerland (Wilson) to the Secretary of State

GENEVA, February 25, 1933—4 p. m.

[Received February 25—11:25 a. m.]

128. My 127, February 24, 9 p. m.³³ The following letter dated February 25th addressed to the Secretary of State by Drummond has just been received:

"I have the honor to inform you that the Assembly of the League of Nations adopted on the 24th February the resolution of which the

³³ Not printed.

³⁴ For the text of the report of the Special Committee of the Assembly

the Advisory Committee set up under the terms of this resolution at a meeting today. In accordance with the instructions of the Assembly it requested me to convey to your Government an invitation to cooperate in its work.

I need not say that the committee attaches great importance to the operation of your Government and earnestly hopes that it will be able to accept this invitation."

WILSON

4Commission/837 : Telegram

The Secretary of State to the Minister in Switzerland (Wilson)

WASHINGTON, February 25, 1933—6 p. m.

3. Your 125, February 24, 7 p. m. Communicate to Drummond as a letter from me under today's date the following:

There has been communicated to me the text of your letter of February 24, 1933, transmitting to me a copy of the report of the Committee of Nine as adopted by the Assembly of the League of Nations on that day.

I note your request that I communicate to you as soon as possible a reply of the Government of the United States.

In response to that request I have the honor to state the views of the American Government as follows:

In the situation which has developed out of the controversy between China and Japan, the purpose of the United States has coincided in general with that of the League of Nations, the common objective being the maintenance of peace and settlement of international disputes by peaceful means. In pursuance of that objective, while the League of Nations has been exercising jurisdiction over a controversy between two of its members, the Government of the United States has endeavored to give support, reserving to itself independence of judgment with regard to method and scope, to the efforts of the League on behalf of peace.

The findings of fact arrived at by the League and the understanding of the facts derived by the American Government from reports made to it by its own representatives are in substantial accord. In the light of its findings of fact, the Assembly of the League has formulated a measured statement of conclusions. With those conclusions the American Government is in general accord. In their affirmations of the principle of non-recognition and their attitude in regard thereto the League and the United States are on common ground. The League has recommended principles of settlement. So far as appropriate under the treaties to which it is a party, the American Government expresses its general endorsement of the principles thus recommended.

The American Government earnestly hopes that the two nations now engaged in controversy, both of which have long been in friendly

disputes between nations shall be settled by none but pacific means."

2. The text of Drummond's letter to me and my reply are being released to the press here for publication in the Sunday morning papers. I hope that Drummond also will release the texts.

STIMSON

793.94/5953

Memorandum by the Secretary of State

[WASHINGTON,] February 27, 1933.

The Japanese Ambassador called by appointment to complete the conversation that we were having last Thursday. But in opening he said he wanted to tell me that as a personal matter he thought the tone of my last note to the League of last Saturday concerning the action of the Assembly was temperate and conciliatory.⁸⁷ He said he appreciated that I had been trying not to pour oil upon the fire and he thought my attitude would be appreciated by his people, although he had not yet had time to hear of their reaction to my note.

We then passed on to a general talk for which he had come and, taking my cue from what he had said, I reminded him that I had never been unfriendly to Japan; that I had publicly stated, before these events in Manchuria, that I regarded the welfare of Japan and her position and influence in the Far East as important to the welfare of the United States, and that I had frequently, before these events had taken place, called her a stabilizing influence in that part of the world. The Ambassador said he remembered the expressions I had used on the occasion of the Emperor's birthday which were very gratifying. I then went on to remind him that when the Manchurian outbreak occurred in September, 1931, I had not attributed it to the Government of Japan or to the statesmen whom I used to know, Shidehara and Wakasuki, or to the people of Japan, but to the efforts of a small group of persons of militaristic ambitions and desires. The Ambassador said he knew this very well. I reminded him further that in what action I had thereafter taken in opposing Japanese actions in Manchuria I was not actuated by hostility to the Japanese Government or people but by a desire to preserve and maintain certain peace treaties which I regarded as vital and important not only to the world at large but also to Japan. I told him that I had made several speeches in which I had explained my views as to the importance of those treaties. I said I believed the Great War had demonstrated that we had developed both in

of the world a complex industrial civilization which could not stand modern war, and I explained to him in detail what I meant. I pointed out that we were developing into great congested agglomerations of people who were not self-supporting but were dependent upon trade and commerce for their supplies and food; that the Great War had shown that unless future wars could be checked and minimized this civilization would be destroyed. The Ambassador expressed his assent. I pointed out that these peace treaties, including the League of Nations Covenant, the Pact of Locarno and the Nine-Power Treaty, were earnest attempts by the people of the world to carry out this view and to protect our civilization against its destruction by war, and that they were, each of them, an attempt to stabilize the world after the war and to protect the welfare of each nation. He said he recognized this. I told him that this had been the mainspring of my action.

The Ambassador said he recognized all of this and on his part, though he had been disappointed many times when he had given assurances which were afterwards not carried out in Manchuria, still wanted to say that he believed in his people and that sooner or later the moderate elements would not disappoint us. I told him I remained in his hope that this would be so. I then said that in regarding the situation it seemed to me that the whole of Manchuria was not as important to Japan as the confidence and good-will which were being jeopardized by these campaigns. He indicated that he thought this was so. The Ambassador said he was going to devote himself to a cultivation of friendly cultural relations between the two countries, abandoning talk about Manchuria. He expressed himself firmly in the hope that we shall be able to continue our personal relations even after I go out of office. I reciprocated these hopes and told him that I looked forward to the time when the campaign against the war would no longer prevent me from coming to his Embassy, referring to an incident of last winter. The Ambassador laughed and said he hoped so too.

H[ENRY] L. S[TIMSON]

44Advisory Committee/3 : Telegram

The Secretary of State to the Minister in Switzerland (Wilson)

[Paraphrase]

WASHINGTON, March 11, 1933—8 p. m.

6. Your telegram No. 128, February 25, 4 p. m.

Please transmit to Drummond, unless you perceive reason for

"I have the honor to acknowledge the receipt of your letter of February 25, 1933,³⁹ enclosing the text of a resolution adopted on February 24 by the Assembly of the League of Nations, providing for the appointment of an Advisory Committee. You inform me that the Advisory Committee set up under the terms of this resolution held a meeting on February 25 and requested, in accordance with the instructions of the Assembly, that you convey to the Government of the United States an invitation to cooperate in its work.

In reply, I am happy to inform you that the American Government is prepared to cooperate with the Advisory Committee in such manner as may be found appropriate and feasible. As it is necessary that the American Government exercise independence of judgment with regard to proposals which may be made and/or action which the Advisory Committee may recommend, it would seem that appointment by it of a representative to function as a member of the Committee would not be feasible. However, believing that participation by a representative of this Government in the deliberations of the Committee would be helpful, I am instructing the American Minister to Switzerland, Mr. Hugh R. Wilson, to be prepared so to participate, but without right to vote, if such participation is desired."

2. Authorization is given to you to act in accordance with the provisions of the letter quoted above. Of course, you will not commit your Government in regard to any matter without first obtaining from the Department express and definite authorization.

3. It is my request that the above be kept confidential until there has been time for me to prepare a statement to be released with the reply here and until I have so informed you.

HULL

793.94Commission/491a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Wilson)*

WASHINGTON, March 13, 1933—6 p. m.

87. Department's 86, March 11, 8 p. m., and your 146, March 12, 4 p. m.⁴⁰ Department will release text of Drummond's letter of February 25 to Secretary and Secretary's letter of March 11 to Drummond for publication everywhere at 9 o'clock Eastern Standard Time, Tuesday, March 14.

At the same time Department is making public an explanatory statement which reads as follows:

³⁹ Quotation not paraphrased.

ations for the purpose of following the situation in the Far East has extended to the Government of the United States an invitation to cooperate in the work of the Committee.

This Advisory Committee consists of the members of the Committee of Nineteen and representatives of Canada and The Netherlands.

The promotion of peace, in no matter what part of the world, is of concern to all nations. It has been and is the desire of the American people to participate in efforts directed toward that end. In this spirit we have in the past established the practice of cooperation and observation without direct participation. We therefore gladly accept this invitation of the Advisory Committee that we cooperate with it in the work assigned to it by the Assembly. As a practical measure toward facilitating effective cooperation, we suggest, in our reply to this invitation, that a representative of the United States be present, without right to vote, in the deliberations of the Committee. This procedure, if adopted, will not give to the representative of this Government a position of membership on the Committee. Presence of the United States in this manner in the meetings of the Committee will give an informative contact. It is not in any way impair the right of independence of judgment or freedom of action of the United States. The representative of the United States cannot take any action binding this country. We believe that the importance of the problem which is of common concern in this connection to the League, to the League Powers and the United States, calls for promptness and accuracy in exchange of information and views; that the dictates of common sense call for consultation with free and frank discussion among the nations; and that the procedure thus suggested will contribute toward the achieving of those ends—in the interest both of the United States and of all other countries concerned."

PHILLIPS

001Manchuria/15 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, May 3, 1933—noon.

[Received May 3—2:10 a. m.]

9. Last week the correspondent of the *New York Times*⁴¹ cabled this paper a statement made to him by Komai, Privy Councilor of Manchukuo, that Manchukuo would apply the principle of the open door only to those countries which recognized Manchukuo's independence. On the following day Byas cabled to this paper a statement by the spokesman of the Foreign Office to the effect that Komai possessed no influence or authority and that the Japanese Government would never countenance any violations of the open-door principle which has been the basis in the Far East.

vice Minister for Foreign Affairs today authorized me to inform my Government officially that Komai spoke without authority and that the principle of the open door in Manchukuo would be strictly maintained.

GREW

The Truce Agreement Between the Chinese and Japanese Military Authorities, Signed at Tangku, May 31, 1933 ^{41a}

(i) The Chinese army will withdraw to the west and south of the line from Yen-Ching to Chang-Ping, Kao-Li-Yung, Sun-Yi, Tung-Chow, Hsiang-Ho, Pao-Ti, Lin-Ting-Kow, Ning-Ho and Lu-Tai, and undertakes not to advance beyond that line and to avoid any provocation of hostilities.

(ii) The Japanese army may use aeroplanes or other means to verify the carrying-out of the above article. The Chinese authorities will afford them protection and facilities for such purpose.

(iii) The Japanese army, after ascertaining the withdrawal of the Chinese army to the line stated in Article i, undertakes not to cross the said line and not to continue to attack the Chinese troops, and shall entirely withdraw voluntarily to the Great Wall.

(iv) In the region to the south of the Great Wall and to the north and east of the line as defined in Article i, the maintenance of peace and order shall be undertaken by the Chinese police authorities.

(v) The present Agreement shall come into effect upon its signature.

793.94Advisory Committee/46

The Secretary General of the League of Nations (Drummond) to the Secretary of State

GENEVA, June 12, 1933.

[Received June 26.]

SIR: I have the honour to enclose a copy of the circular ⁴² drawn up by the Advisory Committee appointed by the Assembly of the League of Nations to follow the situation in the Far East and to aid the Members of the League in concerting their action and their attitude among themselves and with the non-Member States. The Advisory Committee has decided to send this circular, which relates to the measures involved by the non-recognition of "Manchukuo", to the Members of the League and those non-Member States to which the

^{41a} Translation reprinted from League of Nations, *Official Journal*, Special Supp.

been communicated.

The Advisory Committee recalls that on February 25th, 1933, immediately after the Assembly's adoption of the report, the United States Government was good enough to inform me that "in their communications, respectively of the principle of non-recognition and their attitude in regard thereto, the League and the United States are on common ground."⁴⁴ Having also had the privilege of welcoming Hugh R. Wilson as the representative appointed by your Government to participate in its deliberations on the conditions stated in your program of March 11th,⁴⁵ the Committee has instructed me to express to you the hope that the United States Government, exercising the independence of judgment that it has reserved with regard to action which the Committee may recommend, will, for its own part, declare its agreement to the measures that this circular recommends to the Governments for the purpose of giving effect to the principle of non-recognition.

I have [etc.]

ERIC DRUMMOND

⁴⁴Advisory Committee/46

The Secretary of State to the Chargé in Switzerland (Riggs)

2319

WASHINGTON, September 20, 1933.

RE: Referring to the Department's telegram No. 119, July 19, noon, to Minister Wilson at Geneva, and to Minister Wilson's telegrams to the Department in Geneva No. 203, July 22, 6 p. m., and No. 205, July 24, 11 a. m.,⁴⁶ there is enclosed a copy of a letter addressed by the Secretary-General of the League of Nations to the Secretary of State under date June 15, 1933, enclosing a copy of a circular relating to the measures involved in the non-recognition of "Manchukuo" drawn up by the Advisory Committee of the League of Nations; and there is also enclosed the original and a copy of the American Government's reply to the Secretary-General's communication.

Upon Minister Wilson's return, it is desired that you bring this matter to his attention. Unless he perceives substantial reason for proceeding otherwise, in which case he should at once explain to the Department by telegram, he should transmit to the Secretary-General of the League the original of the American Government's reply. In doing so he should inform the Secretary-General that this Government requests that the text of its reply be not made public or circularized

For text, see *ibid.*, Special Supplement No. 112, p. 56.

⁴⁶See telegram No. 78, Feb. 25, 1933, to the Minister in Switzerland, p. 115.

would have no objection to the Secretary-General's disclosing in confidence to the Advisory Committee the text of the American Government's reply.

Very truly yours,

CORDELL HULL

[Enclosure]

The Secretary of State to the Secretary General of the League of Nations (Avenol)

WASHINGTON, September 20, 1933.

SIR: I acknowledge the receipt of your predecessor's letter of June 12, 1933, enclosing a copy of the circular relating to the measures involved by the non-recognition of "Manchukuo", drawn up by the Advisory Committee appointed by the Assembly of the League of Nations to follow the situation in the Far East. This letter expresses, under instruction of the Committee, the hope that the American Government, exercising the independence of judgment that it has reserved with regard to action which the Committee may recommend, will declare its agreement to the measures which, for the purpose of giving effect to the principle of non-recognition, this circular recommends to the various Governments concerned.

In reply I am happy to inform you that the views of the American Government with regard to the principle of non-recognition remain unchanged and that the American Government concurs in general in the conclusions arrived at by the Advisory Committee.

With regard, however, to the Advisory Committee's suggestions on the subject of accessions to "Open Conventions", the American Government is of the opinion that the procedure suggested is not under existing circumstances essential and is open to objection from point of view both of practicability and of policy. The American Government therefore purposes, in so far as there are concerned "Open Conventions" for which this Government may receive applications for accession, merely to file such applications without acknowledgment or further action.

Also, on the subject of the procedure to be followed in reference to the control of the traffic in narcotic drugs, the American Government finds its views not altogether in accord with the recommendations of the Advisory Committee. It is noted that the Committee in making its recommendations has considered the Geneva Opium Convention of 1925.⁴⁸ The American Government is not a party to that Convention. The American Government does, however, apply a system of import and export certificates similar to the system prescribed under that

... of its territories or of any narcotic drug to any other country. The importing country has become a party to the Hague Opium Convention of 1912 and its Final Protocol ⁴⁹ and has adopted the safeguards prescribed by that Convention. Hence, the Advisory Committee's recommendations in this connection cannot under existing laws be adopted by the United States. Furthermore, it is conceived that the issuance in any way of an import certificate issued by "Manchukuo" on the basis for exporting narcotics to Manchuria might readily be construed as an implication of recognition.

The basic international convention relating to the control of the traffic in narcotic drugs is the Hague Convention of 1912, to which the American Government and most of the Governments members of the League are parties. It would seem that the provisions of the Hague Convention were not considered by the Advisory Committee, and the American Government doubts whether the procedure suggested by the Advisory Committee would be in conformity with that convention.

Except for these points, the American Government believes that it will be readily possible for it to proceed in substantial accordance with the recommendations formulated by the Advisory Committee.

Accept [etc.]

CORDELL HULL

4/845 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, October 3, 1933—2 p. m.

[Received October 3—7:41 a. m.]

49. 1. Yesterday I had a long informal talk with Hirota, the new Foreign Minister. In order to avoid the usual publicity in connection with my visits to the Foreign Office, the talk took place at the residence of the Minister, who stated that he would be glad to arrange future talks in a similar manner.

Obviously, the Foreign Minister is seeking ways and means for the improvement of Japanese-American relations and has under consideration the desirability of sending to the United States a good-will mission for the purpose of sounding out American public opinion and "explaining Japan to the American public". When he requested my views I said that in my opinion there was not any good reason for sending a mission because the American public is not hostile to Japan in view of certain differences in opinion, and that I thought individual

contacts made by distinguished Japanese visitors such as Prince Tokugawa (who on his return from England expects to visit the United States) would accomplish more than any formal good-will mission. Later, I shall convey to Hirota the fact that organized foreign propaganda is viewed with distaste by the American public.

3. The irresponsible anti-American utterances of the Japanese press which are cabled frequently to the American press, I told Hirota, are among the principal factors militating against good relations. I said these utterances created the feeling in the minds of the American public that Japan is hostile to the United States and inevitably raised a feeling of mutual suspicion and distrust. I expressed the belief that his aims could best be accomplished by giving the desired background and orientation to the Japanese press. I was asked pointedly by Hirota whether in the Japanese press I had observed any anti-American comment since he took office. My reply to his question was in the negative.

4. It was asserted by Hirota that he particularly desired to convey to the press and public of America his own policy and his wish to develop closer relations between the United States and Japan. He was sorry he had been painted unjustly as a rabid nationalist by certain sections of the American press. I made the suggestion that he would find helpful a more personal contact with the American press correspondents in Tokyo and offered for that purpose to arrange an informal dinner on October 12 at the Embassy. My offer was accepted with obvious pleasure.

5. Reports in the press of a contemplated good-will mission to the United States are given out by the Foreign Office as a trial balloon. Among other reasons, such a mission, in my opinion should, at least at the present time, be discouraged because: (a) At present the American public is far more occupied with domestic problems than with any foreign questions; (b) in certain quarters in the United States a latent distrust of Japan exists which organized Japanese propaganda would enhance.

6. At present it appears that my relations with the new Foreign Minister are going to be more satisfactory than it was possible to develop with his predecessor Count Uchida, and that Hirota is groping for advice and is open to suggestions of a constructive nature. Therefore, suggestions or instructions by way of guidance from the Department would be helpful for my future talks with the Minister for Foreign Affairs.

4/845 : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, October 6, 1933—5 p. m.

Embassy's 149, October 3, 2 p. m.

The report of satisfactory recent contacts and probabilities for future between Hirota and yourself is of great gratification to me. With regard to Hirota's contemplation of sending a good-will mission, I concur heartily in your view and approve the statements you made and the course you suggested. For the reasons which you give, along with others, that project should be discouraged. Already there have appeared in the American press reactions unfavorable to it. It is our intention to take the same line with Debuchi that has been taken with Hirota by you.

In connection with Hirota's desire to improve American-Japanese relations, you might find opportunity to turn his attention to the situation whereby the Department is confronted with increasing evidence of discrimination, actual or likely to develop, by the authorities of Manchukuo against American and other foreign commercial interests in Manchuria, and of acts by these authorities prejudicial to the treaty rights of the United States. The following might be indicated to Hirota. The American public, reading a press which is uncensored and which carries a large amount of foreign news, is impressed less by inspired expressions of attitude and intent and more by statements of fact. A response unfavorable to the aim of fostering friendly relations, which we as well as Hirota seek, will be brought forth in this country by any evidence of discrimination against American trade in Manchuria. If Hirota could use his influence with the Manchukuo authorities toward preventing discrimination or having discrimination removed where it exists, insofar as his efforts in that direction were successful to that extent conditions favorable to the normal development of good will would be fostered and the development of grounds of irritation checked. With regard to instances when discriminations or impairment of American rights do exist or develop, it is not possible to effect their removal locally, there would probably be no alternative for the American Government other than to bring them officially to the notice of the Japanese Government. Consequently, if the Japanese Government should be informed of such

suggested to Debuchi that he suggest to Shigemitsu ^{49b} informally that the present is not an opportune moment for public agitation in relation to this question.

HULL

711.94/852 : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, October 14, 1933—4 p. m.

97. Embassy's 154, October 11, 10 a. m.^{49c} In the event Hirota should request you to specify instances and cases of discrimination, your answer should be that at the present time you are less concerned with specific cases of discrimination and more with acts and policies of Manchukuo which are in effect now or are contemplated and which derogate from conditions permitting of free and equitable competition. The project for an oil monopoly which is reported to be under consideration is an example of these policies and acts.

The Department does not understand how, without violating rights assured under existing treaties, it would be possible to confer privileges of preemption on organizations which in character are not purely native and thereby to exclude American participation in any line of production or commercial industry. Likewise, it is our opinion that, except in contravention of existing treaty rights, the proposed banking law which would require American banks operating in Manchuria to deposit currency or securities with Manchukuo could not be enforced.

As a specific example of discrimination you may cite levying at Manchurian ports of a lower duty on Japanese oil than on American oil.

HULL

793.94Advisory Committee/59

The Secretary of State to the Ambassador in Japan (Grew)

No. 385

WASHINGTON, October 23, 1933.

SIR: Reference is made to the Department's instruction No. 367 of September 25, 1933,⁵⁰ in regard to the recommendations of the Advisory Committee of the League of Nations relating to certain measures involved in the non-recognition of "Manchukuo".

^{49a} Approved May 26, 1924; 43 Stat. 153.

^{49b} Mamoru Shigemitsu, Japanese Vice Minister for Foreign Affairs, 1933-36.

...ed to the Department under date October 13, 1933, 11 a. m.⁵¹
...he was not transmitting to the Secretary General of the League
Department's reply of September 20, 1933, to the Secretary Gen-
...s letter of June 12, 1933, as it was almost certain that such a com-
...munication would "shortly become public knowledge". In view of
...foregoing circumstance, Minister Wilson suggested that the De-
...partment authorize him to explain the American Government's posi-
...orally and confidentially to the Secretary General and to state
...when the Manchuria Committee meets again he would explain
...Government's position to the members of that committee. Under
...October 13, 1933, 2 p. m. the Department approved Minister
...son's suggestion.⁵¹

Very truly yours,

For the Secretary of State:
WILLIAM PHILLIPS
[Under Secretary of State]

4/908

*Normal and Personal Message From the Japanese Minister for
Foreign Affairs (Hirota) to the Secretary of State*⁵²

THE HONORABLE

THE SECRETARY OF STATE.

...is a significant fact that ever since Japan and the United States
...ned their doors to each other exactly eighty years ago, the two
...tries have always maintained a relationship of friendliness and
...liability.

...is a matter for gratification to both our countries that they pro-
...e very few commodities which represent conflicting interests in
...r foreign trade, that each supplies what the other wants, that
...are good customers of each other's products, and that they are
...ngthening their relation of interdependence year after year.

...firmly believe that viewed in the light of the broad aspect of the
...ation and studied from all possible angles, no question exists
...etween our two countries that is fundamentally incapable of amicable
...tion. I do not doubt that all issues pending between the two
...ons will be settled in a satisfactory manner, when examined with
...ood understanding on the part of each of the other's position,
...ssed with an open mind and in all frankness, and approached with
...irit of coöperation and conciliation.

...can state with all emphasis at my command that the Japanese na-
...makes it its basic principle to collaborate in peace and harmony
...all nations and has no intention whatever to provoke and make
...ble with any other Power.

relation will be firmly established between her and her great neighbor across the Pacific, the United States. And to this end I have been exerting my best efforts since I took the post of Foreign Minister.

I am happy, therefore, to avail myself of the occasion of the arrival in your country of Mr. Saito, the new Ambassador, to lay before you, through him, Mr. Secretary, my thoughts as to the necessity of promoting our traditional friendship as above.

I hope and believe that the desire of the Japanese Government in this respect will be reciprocated by a full support and countenance on the part of your Government.

711.94/908

Informal and Personal Message From the Secretary of State to the Japanese Minister for Foreign Affairs (Hirota) ⁵³

TO HIS EXCELLENCY

THE MINISTER FOR FOREIGN AFFAIRS OF JAPAN.

Mr. Saito, the new Ambassador of Japan to the United States, has delivered to me the personal and informal message which you have been so good as to send me.

The cordial sentiments which you express in this message I highly appreciate and reciprocate.

I have not failed to note, with gratification, Your Excellency's effort to foster friendly relations with other powers. In all such effort I am sure that you realize that you may rely upon me for the fullest possible measure of cooperation.

You express the opinion that viewed in the light of the broad aspects of the situation and studied from all possible angles no question exists between our two countries that is fundamentally incapable of amicable solution. I fully concur with you in that opinion. Further, I believe that there are in fact no questions between our two countries which if they be viewed in proper perspective in both countries can with any warrant be regarded as not readily susceptible to adjustment by pacific processes. It is the fixed intention of the American Government to rely, in prosecution of its national policies, upon such processes. If unhappily there should arise in the future any controversy between our two countries, the American Government will be prepared, as I believe it always has been in the past, to examine the position of Japan in a spirit of amity and of desire for peaceful and just settlement, with the confident expectation that the Japanese

⁵³ Handed to the Japanese Ambassador by the Secretary of State, March 2,

... in the same spirit.

You refer to the gratifying fact that in the field of trade the interests of our two countries are not in conflict and commercial ties are being constantly strengthened. I perceive every reason to anticipate that the United States and Japan will continue to develop their reciprocal trade with benefit to both countries and, where there may be competition, with constant reciprocal good will.

You state emphatically that Japan has no intention whatever to provoke and make trouble with any other power. I receive this statement with special gratification and I am glad to take this opportunity to state categorically that the United States on its part has no desire to create any issues and no intention to initiate any conflict in its relations with other countries.

In the light of these facts I feel that I should also avail myself of this opportunity to express my earnest hope that it may be possible for all of the countries which have interests in the Far East to approach every question existing or which may arise between or among them in a spirit and manner that these questions may be regulated or solved with injury to none and with definite and lasting advantage to all.

I shall of course be glad to receive through the Ambassador of Japan to the United States or the Ambassador of the United States to Japan any suggestions calculated to maintain and to increase that friendliness and cordiality which have constantly marked since the conclusion of our first treaty the relations between our two countries. You may rest upon my earnest desire to favor any measure or steps which may be practicable toward this end and toward fostering at the same time conditions of peace, good will and general benefit among all members of the Family of Nations.

CORDELL HULL

94/918a: Circular telegram

The Secretary of State to the Ambassador in Japan (Grew) ⁵⁴

WASHINGTON, March 21, 1934—5 p. m.

Texts of the exchange of informal letters between Minister for Foreign Affairs Hirota and the Secretary of State were released to the press today.

Telegraphed also on the same day to Peiping with instructions to repeat to Shanghai and Nanking; and to London with instructions to repeat to Paris, Geneva, Berlin, and Rome.

3. You may so inform any inquirers.

HULL

711.94/919 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, March 22, 1934—8 p. m.

[Received March 22—7:07 a. m.]

56. Department's circular March 21, 5 p. m. Foreign Office spokesman this morning categorically denied newspaper reports from Washington and London to the effect that Ambassador Saito has been instructed to negotiate on the questions of exclusion of Japanese immigrants, recognition of Manchukuo and abandonment of naval and air bases in the Philippine Islands.

GREW

893.6363 Manchuria/29

The American Embassy in Japan to the Japanese Ministry for Foreign Affairs

INFORMAL MEMORANDUM

According to information which has reached the Government of the United States, the authorities in Manchuria have enacted a law establishing the Manchuria Petroleum Company, a semi-official organization of which the shares, which are nominative, are held by the regime in Manchuria and by various Japanese companies, one of which is the South Manchuria Railway, a semi-official Japanese Company. The Manchuria Petroleum Company, it is understood by the Government of the United States, is to be entrusted with the execution of the policy in regard to petroleum producing and refining.

The Government of the United States has also been informed that further legislation is now under consideration, which, if enacted, would establish an official monopoly of the selling of refined petroleum products in Manchuria, obtaining for the present a part of its supplies of refined petroleum products from the Manchuria Petroleum Company. It is understood that the plan contemplates the eventual expansion of the capacity of the refinery or refineries of the Manchuria Petroleum Company to a point where the entire needs of the proposed petroleum monopoly can be supplied by the Manchuria Petroleum Company.

f the foregoing information is accurate, and if this project were
ried into effect, it would apparently close the door in Manchuria
he sales by American oil companies of their products and conse-
ntly would violate the principles of the Open Door, a principle
ch Japan is committed to uphold and which it has declared that it
uphold.

The Government of the United States furthermore desires to invite
attention of the Japanese Government to the fact that participa-
a by the South Manchuria Railway, a semi-governmental Jap-
se organization, in the monopolistic project in question, and the
orted erection of the refinery of the Manchuria Petroleum Com-
y in the Japanese leased territory in Kwantung, presupposes the
robation and cooperation of the Japanese Government in the proj-

Such concurrence and cooperation of the Japanese Government
uld contravene the provisions of Article 3 of the Nine Power Treaty
ned at Washington in 1922,⁵⁵ under which the Japanese Govern-
nt agreed that it would not seek, nor support its nationals in seek-
any such monopoly or preference as would deprive the nationals
any other Power of the right of undertaking any legitimate trade
dustry in the territory to which that Treaty applies.

Furthermore, the Government of the United States desires to point
that the establishment of a petroleum selling monopoly in Man-
ria would contravene the explicit provisions [of the Sino-American
aty of?] 1844⁵⁶ and Article 14 of the Sino-French Treaty of
8,⁵⁷ and would therefore constitute a violation of certain inter-
ional obligations the fulfillment of which has been guaranteed by
authorities in Manchuria.

The Government of the United States therefore trusts that the
apanese Government will refuse its approval or support of this
opolistic project in Manchuria, and will endeavor to deter its
ionals from participation therein, and that the Japanese Govern-
nt will also use its influence to discourage the adoption by the
nchurian authorities of measures which tend to violate the prin-
e of the Open Door and the provisions of various treaties which
authorities in Manchuria have agreed to respect.

Tokyo, July 7, 1934.

For text of treaty, see *Foreign Relations*, 1922, vol. I, p. 276.

Malloy, *Treaties*, 1776-1909, vol. I, p. 196.

British and Foreign State Papers, vol. LI, pp. 636, 641.

*The Japanese Ministry for Foreign Affairs to the American Embassy
in Japan*

[Translation]

TOKYO, August 2, 1934.

1. In an informal memorandum dated July 7, 1934, the American Embassy expresses the desire to ascertain whether or not a report received by the Embassy concerning the establishment of the Manchurian Oil Company and a plan of the Manchukuo authorities for the establishment of an oil sales monopoly, has a basis in fact, and at the same time setting forth the views of the American Embassy in regard to these matters.

2. The plans of the Manchukuo Government as regards the establishment of a Manchurian Oil Company and the oil policies of the Manchukuo authorities, are in no way the concern of the Japanese Government. Consequently the Japanese Government regrets that it is unable to make any explanation thereanent. However, since the American Embassy has expressed the desire for information, there is herebelow quoted in outline for the information of the American Embassy a report recently received by the Japanese Government.

The Manchurian Oil Company was established in Manchukuo, as a juridical person, in accordance with a Special Law promulgated on February 21, 1934. This law does not confer any monopolistic rights whatsoever on this company, nor does it or the company's regulations make any restrictions based on nationality as regards ownership of shares of the Company.

In line with examples set by various governments in Europe, the Manchukuo Government seems to be at present contemplating the enactment of a law to control the oil industry, an essential industry. According to reports at hand, the intent of the above-mentioned law is to make the sale of oil a government monopoly. The manufacture of oil and the exportation and importation of oil will not be monopolized by the Government. Moreover, the new law does not contemplate granting monopolistic rights to the above-mentioned company as regards the manufacture, importation, exportation, etc. of oil.

The report further indicates that according to the plan of Manchukuo, it is not contemplated that all the oil to be sold by the Government shall be monopolized by the products of the Manchurian Oil Company.

3. It is a fact that the South Manchuria Railway has invested in the Manchurian Oil Company and that the latter company has established its factory in the Kwangtung Province. However it is not believed that these facts are liable to give rise to any question of contravention

and of some special provisions of the Gino-Peking Treaty of 1906 which American participation is specified; the question of whether provisions do or do not directly bind Manchukuo which has become independent from China; and the policies of Manchukuo as regards these matters, are questions that concern the American and Manchukuo Governments, and as such the Japanese Government must refrain from referring to herein.

In view of these circumstances, the Japanese Government regrets that it is unable to prevent Japanese capitalists from investing in this company which is a juridical person in Manchukuo, nor is it able to prevent the authorities of Manchukuo from establishing a measure of control over oil. However the Japanese Government believes that the Manchukuo Government intends to give all possible consideration to the interests of foreign merchants now in Manchukuo in connection with the purchase and sale of oil, and recommends that American interests concerned deal directly with the authorities of Manchukuo.

363 Manchuria/50

American Embassy in Japan to the Japanese Ministry for Foreign Affairs

INFORMAL MEMORANDUM

Having given to the contents of the informal memorandum in regard to petroleum projects in Manchuria which the Foreign Office was so kind as to communicate under date of August 2, 1934, to the American Ambassador to Japan the careful consideration which the importance of this subject matter warrants, the American Government is constrained in all candor to offer with regard to the position taken in that memorandum the following observations:

The plans under discussion are, it appears, plans to monopolize the distribution of oil and in part at least the importation, processing and exportation of oil in Manchuria. The American Government cannot escape the conclusion that the effectuation of such plans would result in the setting up of a monopoly control of the oil industry in Manchuria. The development of a monopoly control in any field would be a matter repugnant to the treaty rights of American nationals and would run counter to the principle of the open door.

These plans however are apparently being formulated with the concurrence and cooperation of Japanese nationals, the participation of quasi-official organizations as the South Manchuria Railway and without the assent or approval of the Japanese Government.

Our Government has had in mind developments of the past and years in relations between Japan and Manchuria and has given thought to treaties to which Japan and the United States are parties and to various declarations in which the Japanese Government has given assurances that there will be maintained in Manchuria the principle of the open door. This Government has of course assumed and continues to assume that the Japanese Government wishes to implement its undertakings.

Entertaining as it does a high opinion of the sense of responsibility and the capacity of the Japanese Government, this Government cannot believe that the contents of the memorandum under reference express adequately and conclusively the Japanese Government's position and intention with regard to projects in Manchuria the carrying out of which would not only be contrary to provisions of treaties but would involve contravention of the unqualified assurances which have been given by the Japanese Government to the American Government, to other Governments and to the world.

TOKYO, August 31, 1934.

893.6363 Manchuria/71

*Memorandum by the Chief of the Division of Far Eastern Affairs
(Hornbeck)*

[WASHINGTON,] November 6, 1934.

During the course of my call on the Japanese Ambassador today, the Ambassador made some references to his trip in "Manchukuo" and brought in a reference to the proposed "Manchukuo" petroleum monopoly. He said that he had very little knowledge of the facts but that the American newspapermen had been pressing him on the subject and he had told them that the "Manchukuo" government had given its word that it would respect the principle of the open door and that he was confident that it would do so. If other governments felt that it was about to act not in accord with that principle, they should inform it of their views and he was sure that it would wish to do whatever was right in the matter. He said that he had just received from Tokyo a summary of the Japanese Government's latest memorandum to the ambassadors of the interested powers at Tokyo and that he supposed that we had been informed of the contents of that memorandum. I said that we had received a summary; that we understood that the other missions concerned in Tokyo had received a text similar or identical to that which the American Am-

that expect that the Japanese Government would be as much interested as any other in the maintenance by the "Manchukuo" régime an open door. The Ambassador said that the Japanese Government could do nothing more than "advise the 'Manchukuo' government." I said that the foreign governments assume that when the Japanese Government "advises" the "Manchukuo" authorities in terms which indicate that it desires that its views be followed, the views expressed by the Japanese Government prevail. To that the Ambassador did not reply. Instead, he said that he had suggested to the "Manchukuo" authorities that they should buy more of goods and services from countries other than Japan than they have been doing; that they had replied to him that they were making their purchases on the basis of bids and prices and that in almost every connection they could get what they wanted from Japanese sources at less prices than from other foreign sources. Nevertheless, they had given to Japanese firms the contracts for the building of the Foreign Office at Hankow; and they had placed an order for structural steel with German firms, the price having been low. And they had agreed with Germany in principle that they should throw more trade to other countries. And the conversation then turned to other subjects.

S[TANLEY] K. H[ORNBECK]

863 Manchuria/100

The Ambassador in Japan (Grew) to the Secretary of State

1052

TOKYO, November 14, 1934.

[Received December 1.]

MR: I have the honor to refer to my despatch No. 1036, dated September 1, 1934,⁵⁸ and to previous correspondence on the subject of the proposed oil sales monopoly in Manchuria, and to report the following later developments in the case.

REPRESENTATIONS

Under date of November 5, 1934, the Foreign Office replied to the representations made by this Embassy, acting under instructions from the War Department, on August 31, 1934, in regard to the proposed oil monopoly in Manchuria. The reply of the Foreign Office was in the form of a memorandum, which was sent to this Embassy without a transmitting note, but which was sent to the British Embassy in Tokyo under cover of a transmitting note marked "Confidential". The two memoranda were identical, except that the references to

The Foreign Office memorandum sets forth that the Japanese Government is not concerned with the plans of the "Manchukuo" Government for the control of the petroleum industry; that the Japanese Government approves of the adoption by the "Manchukuo" government of the principle of the Open Door, but that the Japanese Government cannot be responsible to other countries for the industrial policy of "Manchukuo"; that "Manchukuo" claims the same right as is possessed by other countries to control industries important to its national existence but does not intend to impose unfair or discriminatory treatment upon the economic activities of foreigners within its territories; that the Manchuria Oil Company is not endowed with monopolistic privileges and that the Japanese Government cannot prohibit the investment of Japanese capital in the Company; and that the monopoly plan of the "Manchukuo" government does not contemplate the restriction of the purchase of the monopoly's supplies of oil to the products of the Manchuria Oil Company, and that the interests of foreign concerns will be considered as far as possible in the purchase and sale of oil.

A comparison of the reply of the Foreign Office with the representations made by the American Government, through the Embassy, on August 31, 1934, reveals the fact that almost no attempt has been made in the reply to refute the allegations contained in the representations. In the representations the American Government stated that "The development of a monopoly control in any field would be a matter prejudicial to the treaty rights of American nationals and would run counter to the principle of the open door" and "The American Government . . . has given thought to treaties to which Japan and the United States are parties and to various declarations in which, the Japanese Government has given assurances that there will be maintained in Manchuria the principle of the open door". The Japanese memorandum entirely ignores the question of the treaty rights of American nationals in Manchuria. In the second paragraph, when the statement is made that "the plan of the Government of Manchukuo for the control of the oil industry . . . is not within the knowledge or concern of the Imperial (Japanese) Government", the Japanese Government practically renounces its various declarations to the effect that the principle of the open door would be maintained in Manchuria. Although not so stated, it is probable that the Japanese argument is based on the ground that the Japanese declarations in regard to the maintenance of the open door were intended to cover only the period of the Japanese military occupation of Manchuria, and ceased to be

attitude would seem to be implied in the statement in paragraph the memorandum to the effect that "the plan of the Government Manchukuo for the control of the oil industry is a project of that ernment itself".

While it may be argued that the Japanese Government never specially guaranteed the maintenance of the principles of the open door equal opportunity in Manchuria after the government of "Manchukuo" was organized, the Japanese recognition and endorsement of new regime was largely predicated upon the maintenance of those policies, as is evidenced by the speech of Count Uchida, then Minister of Foreign Affairs, before the Diet on August 25, 1932, and the Japanese Government's public statement of September 15, 1932, issued on the occasion of the recognition of "Manchukuo", which reads in part as follows:

As regards the economic activities of foreigners, the Manchukuo Government made clear in their communication of March 10 above referred to that they would observe the principle of the Open Door. That Japan desires in Manchuria is to do away with all anti-foreign policies there so that the region may become a safe place of abode for natives and foreigners alike, while, at the same time, guaranteeing legitimate rights and interests there; and therefore, it is hardly necessary to repeat the assurance that Japan sincerely hopes that all peoples of the world will pursue their economic activities in Manchuria on a footing of equal opportunity and will thereby contribute to the development and prosperity of that region".

Protocol between Japan and "Manchukuo" of September 15, 1932, which is predicated upon the observance by "Manchukuo" of international obligations applying to that territory, as is shown by the second paragraph of the preamble of the Protocol:

"Whereas Manchukuo has declared its intention of abiding by all international engagements entered into by China in so far as they are applicable to Manchukuo."

It is difficult to see how the Japanese Government can ignore these written declarations, but that it has done so is not only shown by the report quoted above from the Foreign Office memorandum of November 5, 1934, but also in another part of the memorandum, which states

"... while the Imperial (Japanese) Government as a matter of course hopes to see a reconciliation of the views of the said two countries it cannot be responsible to various countries for the industrial policy of the Government of Manchukuo".

In the statement in the American representations to the effect that the American Government has assumed and continues to assume that the

The statement in paragraph 4 of the Japanese effect that "According to the Manchuria Oil Company in the previous memorandum the said company any monopolistic privileges whatsoever" is an effect. The Manchuria Oil Company (which is four-fifths apparently to be ranked as a semi-official "Manchukuo" as such is to be granted permission to manufacture for the monopoly, the monopoly thus taking over concern and placing it in a privileged position, an monopolistic position. The Company, having an assured product, can reasonably be expected to expand its output at first will fill only about 50 per cent of Manchuria, there is little doubt that the proportion of oil by the Manchuria Oil Company will gradually increase until almost the entire demand for petroleum products will be filled by the Company and by the Shale Oil Refinery South Manchuria Railway at Fushun, which is also granted privileges in regard to the monopoly. Thus it appears quite true that under the law no monopolistic privileges Manchuria Oil Company and to the Shale Oil Refinery effect will be to give them eventually almost a monopoly of oil products to Manchuria. And, it should be noted that the Manchuria Oil Company is one-fifth "Manchukuo" or Japanese owned, while the Shale Oil Refinery is entirely Japanese owned.

The above facts also dispose of the contention that "it (the "Manchukuo" government) has no interest upon the economic activities of foreigners without discriminatory treatment based on national origin."

The statement in paragraph 5 of the memorandum of the plan of the Government of Manchukuo of purchasing all of the oil to be sold by the Government of the Manchuria Oil Company" is likewise an obvious fact that, under the monopoly system of "Manchukuo" a Japanese controlled oil company

The Department of Finance has translated a translation of the Law as it appeared in the *Tokyo Asahi*, a usually well-informed newspaper. It will be observed that, in addition to the expected monopoly provisions, the Law includes some of the provisions of the Petroleum Industry Law of Japan, such as the licensing of the importation and marketing of petroleum, the requirement that agents must store oil if required by the government, and the requirement that all books and documents of individuals or firms handling petroleum products shall be open to inspection by the government.

Article 4 of the Law provides that oils which have been refined or imported under governmental permission shall be purchased by the "Manchukuo" government. This is obviously a clause inserted in the Law for the purpose of permitting the government to grant permission to the Manchuria Oil Company and the Fushun Shale Oil Refinery of the South Manchuria Railway to refine oils which will be bought up by the monopoly, thereby assuring the two refineries of a steady market for their output.

The supplementary rules provide that the "Manchukuo" government will honor requests made by the present importers of or dealers in petroleum products to sell their equipment to the government, provided that such requests are made within one month after the date of enforcement of the Law. It appears probable that this clause means that if the foreign oil companies apply to the government to sell their installations and equipment within one month after the date of enforcement of the law, their applications will be favorably received, but that if they delay such applications until later, they will have little chance of selling their property except at a heavy loss. The clause therefore would appear to constitute an attempt to force the foreign oil companies to abandon their protests against the oil monopoly and to consent to the liquidation of their business in Manchuria, in order to save something from the ruin of their trade in Manchuria. The date of enforcement of the law has not yet been fixed, but a rumor is current that the date will be February 1, 1935. The foreign oil companies therefore may be compelled to come to a decision in regard to the liquidation of their business in Manchuria by March 1, 1935.

There is also enclosed a copy of a statement issued by the "Manchukuo" government at the time of announcement of the monopoly, as published in the *Japan Times and Mail* of November 14, 1934,^{58a} which statement contains nothing of interest except the assurance that the Government intends to compensate any loss caused to the present petroleum importers and dealers by the enforcement of new

ACTIONS OF THE FOREIGN OIL COMPANIES

As the Department was informed in Peiping's tele October 21, 6 p. m. to the Department, the foreign oil requested to furnish the authorities at Hsinking by 1934, with statistics of their sales and imports during years together with lists of agencies and also all plan ment to be turned over to the monopoly. By agreem oil companies operating in Manchuria sent the authorit a simple statement that they were unable to supply t demanded, without explanation. This they believed t course, as compliance might be construed as accepta monopoly scheme and might thereby weaken any diplomati might be taken.

Respectfully yours,

J

[Enclosure 1]

The Japanese Ministry for Foreign Affairs to the American Embassy in Japan

MEMORANDUM

1. In view of the fact that the American Embassy once more, under date of August 31, 1934, an informal concerning the plans of the authorities of Manchukuo ment of the oil monopoly, the Imperial Government w ment the Foreign Office memorandum of August 2, 193 to the following two or three points.

2. As set forth in the memorandum of August 2nd Government of Manchukuo for the control of the oi project of that Government itself and is not within or concern of the Imperial Government, and the Im ment is not in a position to give any explanation wit

3. It goes without saying, as often repeated in the pa for the principle of the Open Door by Manchukuo coi

OCCUPATION OF MANCHURIA

two countries it cannot be responsible to various countries for the industrial policy of the Government of Manchukuo. The Government of Manchukuo entertains the view that with respect to countries important from the standpoint of its existence it has to control these itself as is the case with other countries. At the same time it has no intention of imposing upon the economy of foreigners within its borders unfair, discriminatory treatment on national origins. Moreover with respect to the bill to reorganize the oil industry now under consideration there appears to be no objection on this point.

4. According to the Manchuria Oil Company Law as amended by the previous memorandum the said company is not endowed with monopolistic privileges whatsoever. The Imperial Government find no reason to prohibit the South Manchuria Railway Company and Japanese capitalists from subscribing for the said Company.

5. According to the information possessed by the Imperial Government the purport of the plan of the Government of Manchukuo does not contemplate purchasing all of the oil to be sold by the Imperial Government from the products of the Manchuria Oil Company. It is the policy of the said Government in the purchase and sale of oil to consider as far as possible the interests of foreign countries. Conversations have actually begun with these foreign countries. It is anticipated that some discussions satisfactory both to the Imperial Government and the interested Americans will take place.

[Tokyo,] November 5, 1934.

[Enclosure 2]

Manchukuo Oil Monopoly Law ⁵⁹

Article 1. Petroleum hereinafter referred to shall signify kerosene, light and heavy oils, benzol, and any and all substances used as fuel oil.

The scope of substitutes for fuel oil in the above paragraph shall be determined by Imperial decree.

Article 2. Petroleum shall be a government monopoly.

oil agents are to be decided by the Minister of Finance.

Article 6. The government may, whenever it deems it necessary, order oil agents to store a fixed amount of petroleum.

Article 7. No one shall undertake the refining or exporting of mineral oils other than petroleum without government permission.

Article 8. The Government may, whenever it deems it necessary, order those engaged in the handling of petroleum or oils mentioned in the preceding article to submit reports, to improve their equipment, or may enjoin them in other matters.

Article 9. The competent authorities, whenever they deem it necessary, may visit petroleum refineries, refineries of oils mentioned in Article 7, storage warehouses, dealer stands, and other places, and inspect petroleum, oils mentioned in Article 7, account books and various other objects, and make investigations of all matters.

Article 10. The competent authorities, whenever they consider that this law or ordinances issued in accordance with this law have been violated, may examine the persons concerned, conduct searches, and confiscate any articles constituting evidence.

Article 11. The government may, whenever any person who has received permission under Article 3 or Article 7 or any agent designated by the government violates this law or the ordinances issued in accordance with this law or measures taken in accordance with the latter, rescind permission or cancel designation, or order the cessation of operations within a fixed period.

(Articles 12 to 20 inclusive.) Penal regulations.

Article 16. A fine not to exceed five hundred yen shall be imposed upon anyone falling within the purview of one of the following paragraphs.

1. Those who violate Article 8 or falsify reports.
2. Those who obstruct the competent authorities in the performance of their duties stipulated in Articles 9 and 10.

SUPPLEMENTARY RULES

The Minister of Finance shall determine the date of enforcement of this law. Upon the promulgation of the Oil Monopoly Law the Government shall purchase, if application is made within one month after the law goes into effect, equipment actually used in business by those engaged in oil importing. The same applies to the equipment actually used in business of those engaged in the sale of oil who find it impossible to continue operations on account of the enforcement of the Oil Monopoly.

When purchases are made in accordance with the preceding article

the price.

The composition and authority of the Valuation Committee shall be determined by Imperial decree. Matters necessary for the enforcement of this law shall be determined by the Minister of Finance. This law shall take effect simultaneously with the enforcing regulations.

363 Manchuria/120

The American Embassy in Japan to the Japanese Ministry for Foreign Affairs

AIDE-MÉMOIRE

The American Government is impelled again to bring to the attention of the Japanese Government the subject of the proposed petroleum monopoly in Manchuria and in connection therewith to refer to the American Ambassador's memoranda to the Foreign Office under dates July 7 and August 31, 1934, and to the replies of the Japanese Government as conveyed to the American Ambassador by memoranda to the Foreign Office under dates August 2 and November 5, 1934.

With particular reference to the Foreign Office memorandum of November 5 the American Government finds unconvincing the statement as contained therein that the proposed control of the oil industry in Manchuria is not within the knowledge or concern of the Japanese Government. The American Government must of necessity assume that a project of such major importance to all concerned and one with regard to which Japanese interests including a quasi-official organization apparently are taking so active and so prominent a part can not be either the knowledge or the concern of the Japanese Government. Likewise for obvious reasons the American Government can not accept the implied disclaimer of responsibility on the part of Japan in relation to the industrial policy in Manchuria of which this prohibition [*project?*] is a manifestation.

The American Government does not wish nor does it believe that the Japanese Government would wish to enter into controversy over the details of the project under discussion. The American Government feels however that it must call to the attention of the Japanese Government for that Government's most careful consideration certain facts and conclusions to which the American Government attaches great importance namely that there is proposed the setting up in Manchuria of a control of the petroleum industry which by whatever means attained and whatever called would in fact constitute a monopoly of the sale and distribution of oil in that area; that the

ernment accepted and adopted in the protocol into which it entered with those authorities; that an oil monopoly and in fact any monopoly would in addition constitute a violation of Article III of the Nine Power Treaty to which both Japan and the United States are co-signatories. The creation of such a monopoly would adversely affect legitimate American interests long established in that region. Perseverance in this project by its promoters and indifference by the Japanese Government to that development and its consequences would tend to place at naught the emphatic and unconditional assurances repeatedly made by the Japanese Government of its devotion to the maintenance in Manchuria of the principle of the open door.

In such premises the American Government assumes and expects that the Japanese Government will wish by definite action to give clear evidence of its intention to be guided by its treaty commitments and the assurances in other forms which it has on many occasions given to the American Government and to other Governments and to the world at large.

The American Government is confident that, with further consideration of this situation and its implications, the Japanese Government will realize that it has a definite responsibility in relation to this matter and will take steps which, in view of the relationship between itself and the authorities in Manchuria, are believed to be possible and appropriate toward dissuading the promoters of the monopoly project from perseverance in that project.

TOKYO, November 30, 1934.

893.6363 Manchuria/120

Memorandum by the Ambassador in Japan (Grew)

[TOKYO,] December 1, 1934.

In accordance with the Department's telegraphic instruction No. 198, November 28, 7 p. m.,⁶⁰ I called by appointment at 9:30 this morning on the Minister for Foreign Affairs at his official residence and handed to him the Department's *aide-mémoire* (dated by the Embassy November 30) concerning the proposed Petroleum Monopoly in Manchuria. I read over various portions of the *aide-mémoire* and discussed them. The Minister said that he would send our communication to Hsinking because our case was with the Government of Manchukuo and not with the Government of Japan. In connection with my observation that the setting up of the Manchuria Petroleum

company. I replied that, on the contrary, the shares which are non-voting are issued only with the approval of the directors and they have already been issued in the proportion of 40% to the South Manchuria Railway, a quasi official Japanese organization, 20% to the Government of Manchuria and 40% to four Japanese petroleum companies. The Minister appeared not to be aware of this fact.

Mr. Hirota then said that he thought that we and the British were taking too legalistic an attitude towards the matter and that if our companies would confer with the authorities of Manchukuo with a view to obtaining satisfaction in practice he thought that a solution of the controversy could readily be reached. I replied that we could hardly help taking a legalistic attitude because, in our opinion, the question of the sanctity of treaties was here involved and we felt that the whole fabric of international relationships depended upon observance of such treaties in good faith. Mr. Hirota said that the question of the applicability of the old Chinese Treaties to Manchuria was a very difficult and complicated problem and he thought it better to lay stress on the practical rather than the legalistic aspects of the situation. Japan had come to a special arrangement with Manchukuo and the Minister clearly intimated, if he did not say so openly, that only by recognition could we expect to obtain similar privileges. I observed that the assurances of the authorities of "Manchukuo" with regard to the preservation of the principle of the Open Door, as well as many assurances on the part of Japan, some of which I quoted, had been made gratuitously and unconditionally, and that in these assurances were given nothing whatever had been said with regard to the recognition of "Manchukuo" by foreign Powers. It seemed to us that the principle of the Open Door was precisely the same principle as it had been when these assurances were given. The discussion continued for one-half hour, but the Minister's arguments were purely specious and it was obviously impossible to get anywhere. I, however, impressed the Minister more than once with the fact that the American Government and public regarded the matter as a very serious one. I also stated the emphatic denial of the American Government that the oil situation either in Manchuria or in Japan is in any way whatsoever linked with our efforts or our procedure at the London naval conversations.^{60a}

Although it is understood that I generally ask to see the Minister at his official residence instead of at the Gaimusho, in order to avoid so much publicity but the often inaccurate and sensational publicity which attends my visits at the Foreign Office, I did not on this

to the press because I had requested that it should not be so revealed. This was not a strictly accurate statement. The British Ambassador saw the Minister at his residence for precisely the same reason but Mr. Amau did not mention this fact to the press and he placed the responsibility for his silence entirely on me.

J. C. G[REW]

893.6363 Manchuria/194

*The Japanese Ministry for Foreign Affairs to the American Embassy
in Japan*

[Translation]

No. 29

AIDE-MÉMOIRE

American Affairs III

In an *aide-mémoire* of November 30, 1934, on the subject of the petroleum system in Manchukuo, the American Government expressed its opinion respecting the views of the Imperial Government furnished under date of November 5, 1934. The American Government stated that it finds unconvincing the view of the Imperial Government regarding the lack of any relation between the new Manchukuo petroleum system and the Imperial Government, and that the American Government can not accept the Imperial Government's disclaimer of any responsibility for the industrial policy of Manchukuo. The American Government stated that this new control of petroleum, by whatever name described, would constitute a monopoly; that it would impinge upon treaty rights which Manchukuo has affirmed to the world would be respected, an affirmation which is cited in the protocol already entered into between the Empire and Manchukuo; and that the new system would constitute a violation of a treaty to which the Empire and the United States are cosignatories, would adversely affect interests already acquired by American citizens, and would contradict the assurances of the Imperial Government with regard to the principle of the open door. The American Government requested that the Imperial Government realize a definite responsibility in the matter and be guided by its treaty commitments and its assurances in other forms, and take steps possible and appropriate toward the abandonment of the new petroleum system.

After carefully studying the above-stated views and proposals of the American Government, the Imperial Government is unable to discover any reason for altering its former statement. In short, the American Government ignores the fact of the independence of Man-

aforementioned contention denying the existence of Manchukuo. The Imperial Government, although it has not declined the labor of all kinds of mediation for the sake of arriving at an amicable business settlement between the parties to the petroleum problem in Manchukuo, is not in a position to intervene or to be directly involved in Manchukuo's internal administrative questions such as the present matter. It is regretted that the American Government should on this occasion again invite controversy in connection with the fundamental question of the recognition of Manchukuo which has been made clear by the Imperial Government's fixed national policy.

In view of the previously mentioned contentions of the American Government, the Imperial Government desires to set forth the following points:

1) As stated among other things in the *aide-mémoire* of the Imperial Government under date of August 2 and November 5, 1934, the Manchukuo Government's plan for the control of the petroleum industry is a plan of the Manchukuo Government which is not within the concerned cognizance of the Imperial Government; the Imperial Government is not responsible for the industrial policy of Manchukuo; according to the information in the possession of the Imperial Government the Manchuria Petroleum Company is not, from the point of view of the law of Manchukuo, empowered with exclusive monopolistic privileges; and on the subject of ownership of shares of the said company there are no distinctive regulations dependent on nationality. With regard to the phrase . . . [Translator's note: This is a coined phrase previously translated by the Embassy as "not within the knowledge or concern"] ⁶¹ a misconception has apparently occurred, it was used in the sense that this petroleum question is Manchukuo's own problem and is not a problem capable of disposition by the Imperial Government. As to citing the protocol concluded between the Japanese Empire and Manchukuo, it is to be pointed out that this is a matter having no relation whatever to the American Government.

2) It is evident that according to international law, the provisions of the treaties between China and other countries can not be understood as being taken over uniformly and unconditionally without any sort of new arrangement consequent upon the independence from China of Manchukuo. It is accordingly believed that it was proper for Manchukuo when first established as a nation to have declared that the treaties hitherto in force between China and other countries by "such things as ought, in the light of international law and international usage, to be taken over" should be taken over and respected.

with foreign countries the open door policy was proclaimed, it is nevertheless evident that those foreign countries who completely disregard her proposal have not the right unilaterally to make use of those parts alone of her communication which happen to suit their convenience. Moreover, even leaving out of consideration the present state of affairs in Europe and America where the most extreme policies are being put into practise in the control of commerce and trade, the necessary control by an independent nation of industries such as the petroleum industry which have an important relation to the state's existence is the proper right of a nation; and it is inconceivable that Manchukuo was abandoning her proper national rights when in announcing her independence she made the above-mentioned comprehensive declaration. Accordingly it can not be allowed that in her present plan for the control of the petroleum industry there is in fact involved any contravention by Manchukuo of treaties or declarations.

(3) In short, the Imperial Government is unable to agree either with any proposal that it should bear responsibility for the actions of the Manchukuo Government or with any contention whatever which has for premise a denial of the independence of Manchukuo.

[Tokyo,] April 10, 1935.

893.6363 Manchuria/194

*The American Ambassador in Japan (Grew) to the Japanese Minister
for Foreign Affairs (Hirota)*

No. 383

Tokyo, April 15, 1935.

EXCELLENCY: I have the honor to acknowledge receipt of the *aide-mémoire* No. 29, dated April 10, 1935, in regard to the petroleum monopoly in Manchuria.

The contents of the *aide-mémoire* having been duly communicated to my Government, I have now been instructed by the Secretary of State of the United States to inform Your Excellency that the American Government is unable to accept as valid the contentions advanced in the *aide-mémoire* to which reference is made. The American Government greatly regrets that the Japanese Government has not seen its way clear to use the influence which it possesses through its close and peculiar relations with the present regime in Manchuria to uphold in practise the principle of the Open Door and the fulfillment of the treaty obligations which both the Japanese Government and the authorities in Manchuria have on numerous occasions declared that they would maintain.

trained to express its considered view that upon the Japanese Government must rest the ultimate responsibility for injury to American interests resulting from the creation and operation of the petroleum monopoly in Manchuria.
avail myself [etc.]

JOSEPH C. GREW

63 Manchuria/194

Memorandum by the Ambassador in Japan (Grew)

[Tokyo,] April 16, 1935.

I called on the Minister for Foreign Affairs, Mr. Hirota, at his residence at 9:30 this morning and left with him, after reading aloud, our note No. 383, of April 15, 1935, concerning the petroleum monopoly in Manchuria.

I then made to the Minister orally the statements appended to memorandum ⁶² expressing each phrase and sentence slowly and fully so that the Minister must have clearly grasped every point thereof.

At the end of my oral representations the Minister observed, as has frequently been done before, that he had always taken the position that this whole question was a practical one and should be approached in a practical rather than a theoretic and legalistic way and he implied that the matter could be solved to the satisfaction of the oil companies if they had been permitted to discuss the matter directly with the authorities of "Manchukuo" on a business basis. I said to the Minister that the oil companies had already been in touch with the Manchurian authorities without favorable results. The Minister replied that the trouble was that the representatives of the oil companies were in the habit of referring every step to their home governments and maintained that they were powerless to proceed without the approval of their home governments. I said to the Minister that so far as the American companies were concerned, he must be under a misapprehension because while the American Government naturally supported the interests of American companies doing business abroad, it nevertheless did not dictate their policy. The companies were entirely free to do as they thought best and they had approached this whole matter from a business point of view. Undoubtedly some business questions dependent upon legalistic considerations and the oil companies in determining their attitude in Manchuria have no doubt been obliged to consider both aspects of the question, but they nevertheless regarded

kuo" authorities, they would obtain favorable results.

4. The Minister then reread my note and asked what I meant by the assurances mentioned at the end of paragraph 2. I immediately read to the Minister the various assurances given in the reply of the Japanese Government to the identic note addressed by the United States to the Governments of China and Japan, September 24, 1931;⁶³ in the reply of the Japanese Government to the identic note addressed by the United States to the Governments of China and Japan, January 7, 1932;⁶⁴ in the statement of the Japanese Government of September 15, 1932⁶⁵ and in the protocol between Japan and "Manchukuo", September 15, 1932.⁶⁶ The Minister replied that these assurances were given on the understanding that "Manchukuo" would be recognized by the other nations. He observed that by concluding a treaty with "Manchukuo" effecting the sale of the North Manchuria Railway the Soviet Union had accorded *de facto* recognition, whereas the United States had not even recognized the existence of "Manchukuo". I inquired whether I was to understand from what he had said that the principle of the Open Door and treaty obligations in Manchuria are not to be held to apply to the United States? Mr. Hirota answered that until the existence of "Manchukuo" is recognized "no dispute whatever can be entertained with regard to that country."

5. After some further conversation which was merely supplemental to the points brought out above, I observed that the American Government based its whole case on treaty obligations and past assurances, and then took my leave.

J[OSEPH] C. GREW

893.6363 Manchuria/194

Oral Statements by the American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (Hirota)

[Tokyo, April 16, 1935.]

1. The creation of the oil monopoly in Manchuria, and the part played therein by Japanese nationals and interests, will have a deplorable effect upon public opinion in the United States, which regards the monopoly and Japanese participation therein as clear breaches of treaty obligations.

⁶³ See telegram No. 167, Sept. 24, 1931, to the Chargé in Japan, p. 9.

⁶⁴ See telegram No. 7, Jan. 7, 1932, to the Ambassador in Japan, p. 76.

⁶⁵ League of Nations, *Official Journal*, Special Supplement No. 111 (Geneva 1933), p. 80.

⁶⁶ *Ibid.*, p. 79.

in good faith in the oil business for many years and have built their business with the expenditure of much thought, energy and money. During all of this time they have maintained supplies sufficient to carry on the business uninterruptedly, and there is no record so far as the Embassy is aware, of their having engaged in practices that were unfair to their clients or detrimental in any way to the best interests of Manchuria. The destruction, through the operation of the monopoly, of this business and the good will so carefully built up over a long period of years, and the throwing of this business in large part into Japanese hands, will appear to the American public to be a most inequitable proceeding.

The Japanese Government disclaims responsibility for measures taken by the authorities in Manchuria in establishing the monopoly on the ground that they are acts of a state recognized by Japan as sovereign and independent. Nevertheless the peculiar relations and the undoubted influence of Japan with those authorities have been fully demonstrated in other recent issues. This inconsistency is certain to reflect adversely American opinion of the good faith and sincerity of Japanese contentions in the present issue.

The American oil interests are being deprived of a business which they have been lawfully conducting for many years, on the ground, among others, of national defense, for which the Japanese Government insists it has responsibility. If the principle of national defense is involved, therefore, it would seem that Japan cannot disassociate itself from the monopoly project. On the other hand, if the monopoly project is purely a commercial question, or is concerned only with economic policy, it would appear to be eminently fitting for Japan to associate itself with other nations to assist in maintaining the principle of equality of commercial opportunity in Manchuria.

151 Manchuria/21

*From the Consul at Mukden (Langdon) to the Ambassador in China
(Johnson)*

1158

MUKDEN, October 30, 1937.

SIR: I have the honor to refer to my telegram of October 26, 1937, reporting on my interview with Mr. Ohashi, Director of the Foreign Affairs of the State Council, in regard to the discriminatory features embodied in the recent revision of the Exchange Control Law and the ministerial orders issued under it, and to enclose, as of possible interest to the Embassy, a copy of the informal memorandum which I left with

Ohashi's next in command, pending Mr. Ohashi's return. It was interesting to note that both gentlemen reacted alike to my errand. Their first reaction was one of defence tinged with slight irritation: that their pledges concerning the Open Door were unilateral and therefore not binding, especially as we failed ("did not have the courtesy") to acknowledge them, and that countries which have not recognized "Manchukuo" may not properly or consistently make claim to the same treatment as that granted to those countries which have recognized it. The second reaction was one of doubt as to the existence of discrimination. When I showed them the discriminatory passages in the text of the ministerial orders, they seemed taken aback. Mr. Ohashi professed ignorance of these passages, adding that so many laws and orders are being passed these days to meet Japan's requirements for relinquishing extraterritoriality by next December 1 that he is unable to study them all. Mr. Ohashi kindly promised, however, to take up the matter with the competent authorities.

Very respectfully yours,

WM. R. LANGDON

[Enclosure]

Memorandum by the Consul at Mukden (Langdon) of Informal Statement on October 25, 1937, to the Director of the Foreign Office in Manchuria (Ohashi) in Connection With Discriminatory Features Contained in Keizaibu Orders Nos. 23 and 25 of October 8, Issued Under Authority of Imperial Ordinance No. 293, October 8, Concerning Revision of Exchange Control Law

Mr. Langdon stated that on October 15 he reported to his Government the substance of the new legislation enacted October 8 to conserve the country's stock of money. In his report Mr. Langdon said that he pointed out how, by virtue of the Orders listed above, imports from the United States were now subject to government approval, restriction or prohibition, inasmuch as they could only be imported if paid for and as exchange with which to pay for them required government permission in each case. He also explained how investment in American securities, insurance and trust contracts, travel and the like was likewise made a matter of rigid government regulation. The features of the law to which Mr. Langdon called his Government's particular attention, however, were the provisions of Article 2 of Order No. 23 and Article 1 of Order No. 25, which specifically exclude Japanese currency, Japanese exchange and Japan from the scope of the new legislation. Commenting on these provisions, Mr. Langdon expressed to his Government the opinion that the freedom of exchange trans-

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the United States and other countries was most discriminatory would deal to American trade relations with Manchuria a severe blow.

On October 19, Mr. Langdon stated, the American Government telegraphed Mr. Langdon to the effect that it considered the discriminatory features of the new legislation clearly inconsistent with the pledges given by the Manchurian authorities to maintain the Open Door, and that such discrimination has created a very unfavorable impression in the United States.

For Mr. Ohashi's ready reference Mr. Langdon cited so many declarations made by Hsinking promising to maintain the Open Door in Manchuria, namely:

The passage dealing with foreign policies in the Proclamation of the Establishment of the State, March 1, 1932;

The telegram of Foreign Minister Hsieh to the Secretary of the United States, March 12, 1932, in particular paragraph 1, reading as follows: "With regard to economic activities of foreign nations within the state of Manchuria, the principle of the Open Door shall be observed";

The statement of Foreign Minister Hsieh on the occasion of signing of the Manchukuo-Japan Protocol of September 26, 1932;

The telegram of congratulation of November 12, 1932, by Foreign Minister Hsieh on the occasion of the election of President Hoover;

Statement given to United Press representatives in Tokyo, December 1, 1932, by the Manchukuo Foreign Office (see Bureau of Information Bulletin No. 60, May 1933);

Statement for foreign countries issued March 1, 1934, by Foreign Minister Hsieh on the Occasion of the enthronement of the Emperor of Manchukuo, reaffirming the undertaking to maintain the Open Door Policy; and the telegram of March 1, 1932, on the occasion of the establishment of the State of Manchukuo.

In addition to these government manifestoes, Mr. Langdon cited two or three instances where the Consulate General was informed and assured that discrimination against American Commercial interests need not be feared, among them the following: May 10, 1937, when Mr. Ohashi made it clear to Consul Chase that there was no basis for the allegation of discrimination against foreign insurance companies; June 22, 1937, when Mr. Tsutsui told Mr. Langdon that in connection with the insurance law being drafted, that Mr.

No. 828

TOKYO, December 1, 1937.

EXCELLENCY: Acting under the instructions of my Government I have the honor to refer to reports that on November 1[5?] a treaty was signed with Japan ending Japanese extraterritorial rights in Manchuria and that on this account there was issued a manifesto in regard to the extraterritorial rights of foreigners other than Japanese in Manchuria. It has also been brought to the attention of my Government that the branch at Harbin of the National City Bank of New York, an American concern, has received a letter from the Department of Economics at Hsinking stating that a recently promulgated "law concerning foreign juridical persons" "naturally" applies to all foreign firms and requesting that preparation be made to register and to appoint a representative in accordance with the law. The extraterritorial rights of nationals of the United States in Manchuria are granted by treaties between the United States and China and my Government considers that the law under reference which apparently contemplates the assertion by the authorities in Manchuria of jurisdiction over American juridical persons is inapplicable to American nationals and firms. My Government therefore is impelled to register emphatic objection to any attempt by the authorities of Manchuria to exercise jurisdiction over American nationals and to make full reservation in regard to the treaty rights of the United States and its citizens.

I am directed by my Government to address the Japanese Government on this matter in view of the relationship between the Japanese Government and the authorities in Manchuria.

I avail myself [etc.]

JOSEPH C. GREW

793.943 Manchuria/57

The Japanese Minister for Foreign Affairs (Hirota) to the American Ambassador in Japan (Grew)

[Translation]

No. 24, Treaty II

TOKYO, March 1, 1938.

EXCELLENCY: I have the honor to state that I have duly received and noted Your Excellency's note of December 1, 1937, regarding the application to American commercial firms of the law concerning foreign juridical persons in Manchukuo with respect to the treatment of nationals of third countries on the occasion of the conclusion of the treaty between Japan and Manchukuo, signed on November 5, 1937.

transfer of the administrative rights over the districts traversed
the South Manchuria Railway.
The policy of the Government of Manchukuo in this instance, which
governs the treatment of nationals of third countries and juridical
persons of third countries, is a matter in which the Japanese Govern-
ment is not concerned and the Japanese Government, accordingly,
states that it is not in a position to make any explanation.
I avail myself [etc.] KOKI HIROTA (SEAL)

*Press Release Issued by the Department of State on April 6, 1939*⁶⁷

The Department of Commerce gives the following figures for Ameri-
can exports to Manchuria through the port of Dairen for the past 10
years:

VALUE OF EXPORTS FROM UNITED STATES TO MANCHURIA
(Department of Commerce statistics)

	<i>U. S. dollars</i>		<i>U. S. dollars</i>
1929	11, 841, 000	1934	3, 939, 000
1930	6, 405, 000	1935	4, 188, 000
1931	2, 176, 000	1936	3, 542, 000
1932	1, 186, 000	1937	16, 068, 000
1933	2, 691, 000	1938	*17, 000, 000

Statistics based upon Chinese Maritime Customs reports and reports
from the "Manchukuo" customs are given below for comparative
purposes:

VALUE OF IMPORTS FROM UNITED STATES INTO MANCHURIA
(Chinese and "Manchukuo" customs statistics)

	<i>U. S. dollars</i>		<i>U. S. dollars</i>
1929	14, 360, 000	1934	11, 500, 000
1930	8, 600, 000	1935	7, 460, 000
1931	3, 700, 000	1936	6, 880, 000
1932	4, 230, 000	1937	16, 680, 000
1933	7, 440, 000	1938	*17, 005, 000

Neither of these tables includes for 1929, 1930, and 1931 the value of
shipments of American goods from China to Manchuria which
those years were valued, according to careful estimates, at approxi-
mately US\$4,000,000 in 1929, US\$3,000,000 in 1930 and US\$2,000,000
in 1931. Subsequent to 1931 the figures in the second table are based

upon "Manchukuo" customs statistics, which include China.

The following figures obtained from the Department indicate the character of Manchuria's principal imports from the United States for the past 3 years:

(In U. S. dollars)

<i>Item</i>	<i>1936</i>	<i>1937</i>
Crude petroleum	130, 000	974, 000
Refined petroleum	652, 000	2, 462, 000
Machinery and vehicles† . . .	789, 000	2, 663, 000
Manufactured iron and steel (Plates, bars, sheets, rails, etc.)	537, 000	7, 044, 000
Raw cotton	Nil	1, 227, 000

In 1937 Japan was engaged in building up large stocks of raw materials and materials of a military and heavy industry character. During the latter part of the year 1937 and throughout 1938 Japan was engaged in hostilities in China. The increased imports from the United States in 1937 and 1938 from non-Japanese sources were obviously due to Japan's preparation for and execution of military operations in China and the figures for those years warrant no inference that the occupation of Manchuria has more widely opened the market for commercial opportunity or benefited American enterprises.

Citation of trade figures in no way detracts from the fact that the following statements made by this Government in December 6, 1938, to Japan: ⁶⁸

"A large part of American enterprise which forms the basis of our trade with Manchuria has been forced to withdraw from that territory on the basis of the preferences in force there. . . . equality of opportunity and the open door has virtually ceased to exist in Manchuria"

Far more important than the figures of the imports from the United States for 2 exceptional years are the following facts: The discriminatory trade measures of a discriminatory character, American enterprises have been excluded from the field of dis-

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control, all foreign trade and enterprise in Manchuria except have been and are being discriminated against.

Trade figures show, in the case of Manchuria, an increase 2 years in the volume of trade, but it is misleading to draw fact the conclusion that American enterprise in general has or may in the future benefit from the changes which have occurred in Manchuria subsequent to 1931. Trade figures do not show brought about the increase in 1937 and 1938 in our exports to Manchuria, nor how American enterprise in general has been affected, or what may be expected to be long swing effects contrasted with short swing effects.

MILITARY ACTION BY JAPAN AT SHANGHAI, 1932

MILITARY ACTION BY JAPAN AT SHANGHAI, 1932

793.94/3719a : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, January 27, 1932—2 p. m.

25. During the week preceding January 20 there were, according to official reports, several clashes between Japanese and Chinese at Shanghai, in one of which a Japanese was killed, two Japanese were wounded, a Chinese policeman was killed and several Chinese were injured. Several thousand Japanese held a mass meeting on the afternoon of January 20 and subsequently paraded through the streets of the International Settlement, assaulting several Chinese citizens and smashing the windows of Chinese shops. On that occasion, the Japanese and Chinese elements of the International Settlement police worked harmoniously together. January 23 was selected as the date for another Japanese mass meeting, and on January 22 the Japanese Admiral published a statement to the effect that, unless the mayor of the Chinese municipality complied with the demands presented by the Japanese Consul General with reference to several anti-Japanese incidents, the Japanese Admiral would take "appropriate steps to protect the rights and interests of Japan."¹ Accordingly, on January 23, the Japanese Consul General and the Chairman and the Secretary General of the Municipal Council called on the Japanese Admiral, who, after protracted discussions, agreed to take no action in the International Settlement without prior consultation with the authorities of the Settlement. It is reported that, subsequent to this conversation, the Japanese Consul General had promised that the reply which the Chinese Mayor makes to the Japanese demands will be communicated to the Council 24 hours in advance of any Japanese action.

While this account may not be altogether complete or precise in all details, it is a sufficient indication that the action of Japanese subjects, both officials and private citizens, is contributing to the aggravation

Settlement as an instrument of Japanese policy.

Shanghai is China's most important port. In the International Settlement there are about 40,000 foreigners, of many nationalities, American as well as Japanese, over a million Chinese, a great mass of physical property, and a focus for commercial and other legitimate interests. A disturbance to the peace at the port of Shanghai is a serious concern to every nation. Direct or indirect interference with the commerce of the port of Shanghai would injure the trade of all the chief commercial countries, as well as the trade of China.

The Government of the United States cannot regard with indifference a situation in which apparently a foreign government has authorized the commander of its naval forces at Shanghai to use force, according to his own judgment, to support demands made by the local consular representatives of that government to obtain objectives which are peculiar to that government, without the agreement, request or approval of the local representatives of other governments which have interests and nationals at Shanghai and which, on the basis of treaties and other agreements, have common rights and interests with respect to conditions of trade and residence at Shanghai and are warranted in feeling solicitude with respect to any developments menacing the local situation at Shanghai. Especially is this true with respect to the International Settlement; however, concern with regard to the interests and rights in relation to the Settlement of necessity carries with it concern with regard to any action which may affect the life of the port of which the International Settlement is a part.

Unless the local authorities have failed or are manifestly unable to discharge the duties of protection, no nation has the right, under international procedure, to land armed forces on foreign soil for the protection of its nationals. The Municipal Council, in the first instance, is responsible for the administration of the International Settlement at Shanghai and disposes of a well disciplined, organized police force, with reliable personnel and under responsible control. Should the Council decide that its agencies are inadequate to meet their responsibilities, it should so advise the Consular Body, through the Senior Consul, and the Consular Body should then issue such call as appears necessary, not upon any single one, but upon all of the foreign forces available.

Please call at once upon the Minister for Foreign Affairs and discuss this subject orally, leaving no memorandum, giving him in substance the narrative of events and the outline of views as expressed above, adhering closely to the text of this telegram. You should then inform the Minister for Foreign Affairs that this Government hopes that it

contemplate any action which would jeopardize the property and lives of the nationals of the many countries concerned, including China, Japan and the United States. You should say, finally, that this Government, which desires to preserve the rights and interests of all concerned, urges that the Japanese Government exercise the maximum of restraint.

STIMSON

15Radio Corp. of America/5½ : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, January 27, 1932—5 p. m.

Information has been received by the Department and by the American Consul General at Shanghai to the effect that the Japanese armed forces may contemplate activities near the International Settlement, including operations in those areas where are located radio receiving and sending stations, and that it is obvious that such activities might jeopardize communications service and endanger the stations themselves. At Chenju, seven miles from Shanghai, the Radio Corporation of America has a large interest in a radio sending station and receives a substantial revenue from its Shanghai circuit, which carries a substantial portion of the communications service in China.

You should make urgent oral representations to the Minister for Foreign Affairs, advising him of the facts as represented above and warning him that this Government views with deep concern the possibility of injury to important American interests and would condemn any interference with channels of communication to and from Shanghai with deep regret. You are authorized to add that this Government earnestly hopes that there is no basis in fact for the reported intention of the Japanese armed forces.

Similar instructions are being sent to the American Consul General at Shanghai, who will immediately discuss this matter with the Japanese Consul General.

STIMSON

4/3679 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, January 28, 1932—9 p. m.

[Received January 28—11:30 a. m.]

sages. Most of it he insisted upon taking down in longhand. Then he read it over. That he had it clearly was evident and his reply was: [End of paraphrase.]

First, that he gave the solemn assurance of his Government that there was no intention whatever of interference with the rights or interests of any foreign power in Shanghai, and incidentally he stated that there was no intention whatever of Japanese forces operating in the vicinity of Chenju where the radio station is situated. In regard to procedure he informed me that the proper formalities had been observed with the local authorities to secure permission for landing Japanese forces. He described the plight of the Japanese merchants and residents in Shanghai as deplorable and stated that the anti-Japanese movement in Shanghai and throughout China had reached an "extremity."

He asked me to express to my Government his appreciation of the friendly sentiment expressed in your communication and to assure it that they would take especial care of non-interference with any American interests and rights.

He spoke of the anti-Japanese agitation throughout China and said it had been going on much longer than has the campaign in Manchuria and that there were anti-Japanese movements and incidents of which he had received, while in Geneva, lists running back through the whole of year and not confined at all to Manchuria, but also in China proper and along the Yangtze.

He said that at 4 o'clock this afternoon he received a communication from Shanghai advising him that the Chinese had accepted the four demands which the Japanese Consul had made by his, the Foreign Minister's, instructions.

He added that the Japanese people were so stirred up by the organized anti-Japanese movement in China that failure to take a firm stand in dealing with it would result in the immediate fall of any cabinet.

When he spoke of the Japanese demand for reparations for the Japanese killed in Shanghai, I asked him if the Japanese were proposing to pay reparations for the killing of Chinese policemen and damage done by the Japanese mob, to which he replied: That was their intention.

Asked in regard to the movement of troops to Harbin,^{1a} he said that was temporary but there had been an attack made and looting of Japanese hospitals, newspaper offices, and a number of residences,

^{1a} For other reports on Manchuria, see pp. 1 ff.

day by Chinese troops. Asked if it was expected to withdraw shortly, he replied he hoped so.

FORBES

/3679 : Telegram

Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, January 29, 1932—midnight
Telegrams, Department's No. 25, January 27, 2 p. m. and Em-
bassy's No. 26, January 28, 9 p. m.

Confidentially for your information:

) I have been informed by the British Ambassador here, and it is
a presumption that the British Ambassador at Tokyo has informed
him of the concurrent action of the British Government.

) A copy of British Government's subsequent instruction to
British Ambassador at Tokyo, January 29, has now been communi-
cated to me by the British Ambassador here. This instruction di-
rected the Ambassador to protest strongly the action taken at Shang-
hai by Japanese forces and to request that those forces be restrained
by the Japanese Government. The hope that the American Govern-
ment will act in a similar sense is expressed by the British Foreign
Secretary.

You will please immediately confer with the British Ambassador
after he has communicated his second message, communicate at
the earliest possible moment the following to the Foreign Minister in
paraphrase but without leaving a copy:

On the basis of the best information in possession of the American
Government at the present moment, it appears that recent Sino-
Japanese negotiations at Shanghai resulted in there being sent by
the Chinese Mayor of the Municipality of Greater Shanghai to the
Japanese Consul General, on the afternoon of January 28, a reply to
demands which the Japanese Consul General had presented, which
the Japanese Consul General informed the Consular Body was
satisfactory. Notwithstanding this and although assurance had been
given by Japanese officials in several instances that Japan did not
intend to take unnecessary military action, it seems that without there
having been any change in the general situation, Japanese armed
forces nine hours later, at midnight on January 28, attacked residen-
tial and business sections of the Chinese Municipality at Shanghai.
This has greatly disturbed the peace of the whole port of Shanghai
and interfered with the business of the port. It has jeopardized the
peace of the International Settlement. The American Government
is unable at a loss to find justification or warrant for these activities.
The American Government is constrained to protest against the use made in these circum-

ing constant additional loss of life and property, makes most complicated a situation already delicate and occasions apprehension to the governments and people of every country which has interests in and which feels concern with regard to the area thus affected.

STIMSON

793.94/3970

Memorandum by the Secretary of State

[WASHINGTON,] January 30, 1932.

The Japanese Ambassador called on me at his own request upon his return from Cuba. He said that he was instructed by his Government to make representations to me in reply to our representations the other day in regard to avoiding military occupation of the International Settlement.² The Ambassador then repeated substantially the instructions which had come to me already through Tokyo.³ He said he presumed that I had received them from Tokyo and I said I had. I then told the Ambassador that the matter had progressed far beyond the time when this message in reply had been given; that I was informed by our representatives in Shanghai that the night before last, after the Mayor of Shanghai had made a favorable reply to the demand of the Japanese Consul General and after the Japanese Consul General had told the Board of Consuls that he deemed this reply favorable, and after a promise of ample warning had been made by the Japanese Commanders, the Japanese troops, without warning, in the middle of the night had forcibly seized Chapei and had fired on the civilian population not only with rifle and machine guns but with airplanes and bombs. I told the Ambassador that he must have seen from the press what a serious reaction this had made in this country. He said he had seen it and it was very, very serious. The Ambassador suggested that a change of the situation had occurred, after the Consul General's announcement as to the favorable reply of the Chinese, in the fact that the Municipal Council had declared a state of emergency. I told him I did not see how that could affect the situation in the least and he did not press the point. The Ambassador said that the Japanese landing body, consisting only of sailors as they had no marines in Shanghai, had proceeded to the neighborhood of the defense line which had been allocated to the Japanese and that these men had been fired on by snipers, and that this was the report he had received. I told the Ambassador I did not think it was necessary to get into a discussion as to who fired the first shot or who applied the match to the powder barrel. The gist of the

Shanghai at this time and threatening a landing, the Japanese created an explosive situation which was bound to result in an explosion and I regretted to say that I could not look at it in any other way except as due to the fault of the Japanese. The Japanese Ambassador shook his head and said that I must recognize that he agreed with me on the general principle. I went on to say that I was very much concerned about the present condition in the International Settlement; that it was one which was almost certain to result in a major disaster. I told the Ambassador that five minutes before he came I had received a press flash to the effect that a mob consisting of Japanese, including Japanese military, were looting the houses in a portion of the International Settlement; that I could not vouch for the accuracy of the report but it was in the press. I pointed out how difficult it would be to protect life and property in the Settlement in a situation which was created now by the conflict between the two large powers of China and Japan in that immediate neighborhood. Finally, I told the Ambassador that in this situation representations would undoubtedly have to be made on the subject by my Government to him. I did not tell him that they had already been made.⁴

At the close of his talk with me, the Ambassador handed me the printed statement issued by Mr. Murai, Consul General of Japan at Shanghai. I asked him whether it was the one issued by him to the Board of Consuls on January 28th, and he said no, it was issued the following day. I did not read it while the Ambassador was present.

H[ENRY] L. S[TIMSON]

[Annex]

STATEMENT ISSUED BY MR. MURAI, CONSUL GENERAL OF JAPAN AT
SHANGHAI, ON JANUARY 29, 1932

It is true that the Mayor of greater Shanghai conceded late on January 28th to all demands contained in my note of January 20th and that we were anxiously watching for the development in view of the serious rumors and questionable ability of the local Chinese authorities to control the situation, particularly the undisciplined soldiers and dissatisfied elements. By four o'clock the Shanghai municipal council declared a state of emergency, meanwhile the excited refugees, most of whom were Chinese, poured into the settlement from all directions. The rumor of surreptitious entry of the "plainclothed corps" gained wide circulation. To make the situation from bad to worse, the Chinese constables fled from the Chapei district where about

point. As an emergency measure of protecting the Japanese lives and property in Chapei, a Japanese landing force was despatched in accordance with a previous arrangement with authorities of the municipality and British, American and other forces and in conformity with former precedents of similar cases. (The territory in question is a strip of land in Chapei on the east side of the Shanghai-Woosung Railway which by the abovenamed agreement was assigned to the Japanese). No sooner had the Japanese landing force appeared on emergency duty near its headquarters than the Chinese soldiers in plain clothes attacked them with hand grenades in the neighborhood of the Shanghai-Woosung railway. This attack served as a signal for the Chinese regulars to open fire on the Japanese force, whereupon the latter was forced to return fire. At about the same time, these disguised outlaws commenced shooting at the Japanese at random in the area mentioned above. They have already claimed a number of Japanese lives in the same area. I made it a special point to ask Mr. Yui, Secretary General of the municipality of greater Shanghai, to withdraw the Chinese troops from the section in question when I received the Mayor's reply yesterday to which he gave his ready assent and assured me that it would be done. Had the Mayor been able to bring the military to coordinate speedily with him we might have averted the unfortunate incident. I am demanding again for an immediate withdrawal in view of what took place and is now taking place. If the Chinese authorities are unable to stop the assault and complete the withdrawal from that section, I see no other alternative but to enforce it by force. I should like to make it clear that this clash is to be distinguished from the question contained in my note of January 20th which was solved for the time being at any rate. I would also like to point out that the wild story about the Japanese attack on the Woosung Fort is groundless. This Chapei incident is entirely a matter of self-defense in emergency in an effort to protect Japanese life and property and indeed those of other nationals including Chinese themselves. I am hoping for a speedy cooperation of the Chinese side to avoid any further conflict or sacrifices and to that end to withdraw its troops.

793.94/3758g : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

WASHINGTON, January 31, 1932—1 p. m.

30. 1. Navy Department has ordered Admiral Taylor, Commander in Chief United States Asiatic Squadron, Manila, to be ready to

can action involve and imply no threat to anyone but are measures of precaution for ensuring safety of American lives and legitimate interests and fulfilling our responsibilities in general at Shanghai and other exposed ports in the Yangtze and elsewhere in China.

STIMSON

/3766 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, January 31, 1932—9 p. m.

[Received January 31—11:50 a. m.]

[Paraphrase.] In compliance with Department's telegram 28, January 29, midnight.

At 4:30, after conferring with the British Ambassador, Sir Francis Baring, I called upon the Foreign Minister just after the departure of the British Ambassador; the French Ambassador followed me. During the interview, which lasted for an hour and a half, I gave the Foreign Minister your message with a duplicate paraphrase at a few minutes. Before the Embassy had decoded the telegram, the gist of the message had been telegraphed to the press here from Washington. A violent protest, I understand, was left by Sir Francis against the use of the Settlement as a base for military operations after the Japanese had given assurance it would not be. Previous to the delivery of my message [end paraphrase], Mr. Yoshizawa⁵ made a long statement in order to clarify the Japanese position substantially as follows: The Japanese claims (1) that collaboration has been maintained in Shanghai between the Municipal Council and with the foreign military and naval authorities; (2) that the clash between the Chinese and Japanese has bore no relation to the acceptance by the Chinese Mayor of Japanese demands; and (3) that the Japanese marines took up positions in a sector allotted to them in accordance with joint defense arrangements.

Supporting the first, he stated that on the 25th the Municipal Council decided upon its own initiative to close the Chinese newspaper, *Wen Kuo Pao* and also decided to close the headquarters of the anti-Japanese society. On the 26th the Municipal Council did close the newspaper, and the Japanese Consul General was given to understand that the Municipal Council of Shanghai would help the Japanese if they were going to close the headquarters of the anti-Japanese society. The Japanese informed the Municipal Council of the steps that they proposed to take to accomplish this purpose, and the details were discussed by the Japanese Navy and the Shanghai municipal police.

and British Consuls General and informed them of contemplated steps. On the same day the commanders of the foreign military and naval forces met and determined a plan of joint defense of the Settlement.

In support of number 2 he stated that the Chinese Mayor accepted the Japanese demands at 3:15 p. m. on the 28th, and the Japanese Consul General and naval [*sic*] decided to watch how the Chinese were planning to carry out the undertakings requested by the demands.

On that evening the situation became more serious he said and a large body of people assembled near the Mayor's office. Wild rumors circulated and the Chinese guard at Chapei fled. The Municipal Council at 4 o'clock that afternoon declared a state of siege (Yoshizawa's expression). In consequence, the Japanese commander distributed his forces to protect nationals at Chapei. At midnight, while they were proceeding on the North Szechuan Road, the Chinese troops suddenly opened fire and the Japanese marines, as he puts it, were then obliged to retaliate. Many Chinese in plain clothes participated.

In support of number 3 he says the marines took their positions in the sector allotted to them at the meeting of commissioners of the foreign forces in the interests of joint defense of the Settlement. As a result of the efforts of the American and British Consuls General, an armistice was agreed upon, to be operative from 8 o'clock in the evening of the 29th. Despite this arrangement Chinese troops using armored trains opened fire on the morning of the 30th. Shells fell in the area of the Settlement where there were many Japanese residents. He charges that the Chinese are bringing up as reenforcement the 19th and 3rd divisions of the guard under orders of General Chiang Kai-shek and that in the vicinity of Shanghai a concentration has been completed, that four companies of airplanes are being transported to Nanking destined to Soochow and it is reported that he is planning to bring up other reenforcements in case of necessity. The Chinese are said to be contemplating taking the offensive when these reenforcements are completed. This action is incompatible with their attitude at Geneva. If these reenforcements come up a situation of the gravest nature will be created and Mr. Yoshizawa says the Japanese Navy may be forced to cut the railroad and to consider sending land troops to Shanghai.

He expressed appreciation of the good offices of the American and British Consuls General toward stopping hostilities and he requests that the United States use its good offices to induce the Chinese troops not to bring up further reenforcements and to withdraw the troops now in Shanghai to a safe distance to avoid clashes. He made the

He then quoted a message from Debuchi quoting your comments on him charging the Japanese with wanton firing, dropping bombs, etcetera.⁶ He went on to say that, if the facts are as represented to you, your conclusions are absolutely logical and unanswerable, but there seems to be a notably wide divergence of facts as reported to you and him. He said he would like to see the reports upon which you base your deductions and expressed entire confidence in Mr. Cunningham.⁷ He said that unfounded rumors were sent out from Shanghai and admitted that in the heat of the clash some blunders may have been committed.

In regard to the wireless station at Chenju he had asked the Minister of the Navy who communicated with Shanghai and received a report that the Japanese had not interfered with it in any way nor operated in its vicinity.

At the end he laid especial stress upon his request that we use our good offices to induce the Chinese not to move up their troops.

FORBES

4/3758f: Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, January 31, 1932—2 p. m.

1. The reports from Shanghai indicate the increasing seriousness of the situation and that, notwithstanding previous protests and assurances, the movement of Japanese armed forces through the Settlement continues as does also the use by the Japanese forces for purposes both of offense and defense of sections allotted to other nationalities, thus threatening the status of the Settlement and jeopardizing the lives of its inhabitants. From this it appears that the assurances in this respect received by your British colleague and yourself are disregarded. Please again represent urgently to the Minister for Foreign Affairs that your Government is of the opinion that the Settlement should not be used by the Japanese authorities in any way as a base for the activities of their armed forces except such forces as may be employed solely for the Settlement's protection. Should you not receive an entirely satisfactory reply to your representations you should seriously and strongly protest.

Understand that your British colleague has received similar instructions.

STIMSON

793.94/3799 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

Tokyo, February 1, 1932—7 p. m.

[Received February 1—10:45 a. m.]

33. [Paraphrase.] Your 31, January 31, 2 p. m. At 3:15 this afternoon I called upon the Minister for Foreign Affairs and delivered your message almost verbatim. As usual the Foreign Minister noted it in longhand. [End paraphrase.]

The Foreign Minister stated that according to reports from the Japanese Consul General in Shanghai, the Chinese regular troops, which have been concentrating around the headquarters of the Japanese marines, commenced an offensive together with plain-clothes soldiers at about 11 p. m. on the 31st and that the Chinese shells fell in that part of the river where the Japanese flagship was anchored. The Japanese marines were obliged to act against this concentration. Reports, however, state that things are quieter today.

To the charge contained in your telegram that Japanese forces were utilizing sectors of other nations, he said he had no information that would lead him to believe it but would inquire and inform me.

He seemed greatly troubled at your statement that the Settlement must not be used as a base and asked if that meant that Japan could make no counterattacks and would have to sit still in their sector under fire which he said would result in the annihilation of the marines; if that was what you meant, he said it was inadmissible. He suggested that after the words "used exclusively for the protection of the Settlement" he would add "and the protection of their nationals." I tried to explain to him that my understanding of your message was that the Settlement should be used and occupied only for the protection of the Settlement and not to be used as a base for offensive operations into the Chinese city outside, but his reply was that the proper defense of the Settlement might require counter-attacking.

The British Ambassador advises me of the proposal of the Shanghai Defense Committees, which Mr. Yoshizawa also spoke of, attributing the suggestion to General Fleming,⁸ of the creation of a neutral zone and the withdrawal of the Japanese marines to within the position held on the 28th and the withdrawal of the Chinese Army also to a safe distance; the neutral zone to be protected by troops of neutral countries. He said that the Chinese Commandant had accepted this proposal but the Japanese Admiral had declined on the ground that it was tantamount to the withdrawal of the whole Japanese population. Sir Francis Lindley has strongly urged the acceptance of this

⁸ General George Fleming, of the British Army, commander of the Shanghai foreign area.

proposal and, at his suggestion, I also urged it strongly, stating that the failure to accept this peaceable solution of the situation would indicate in the eyes of the world that Japan is determined on war.

Naval Attaché has been informed of the despatch of three additional cruisers and seven destroyers. This makes a total of 12 cruisers, 2 airplane carriers, 1 seaplane tender, 32 destroyers, 2 river gunboats and 1 mine layer in the Shanghai area (including the Nanking area) or on the way there from Japan. Other ships are reported ready to sail but the Embassy has no confirmation.

The Military Attaché has been informed by the General Staff that Japanese troops have not yet entered Harbin; that Chinese Eastern Railway officials have agreed to transport Japanese forces anywhere on their line; and that no decision has yet been made to send Japanese Army to Shanghai.

Repeated to Peiping.

FORBES

793.94/3922

Memorandum by the Secretary of State

[WASHINGTON,] February 1, 1932.

This morning I sent for the Japanese Ambassador. I told him that I had received a cable from Tokyo describing the Foreign Minister's interview with Mr. Forbes and also with the British Ambassador and the French Ambassador yesterday.⁹ I read him the paragraph from Forbes' telegram describing the Foreign Minister's request that the United States use its good offices to induce the Chinese troops not to bring up further reinforcements. I told the Ambassador that I regarded this as an important request and was hard at work taking it under consideration and trying to carry it out and that while I was doing so I had just this morning received a telephone message from the Navy telling me that in the middle of the night at Nanking the Japanese war vessel had opened fire on the city. While I was talking with him, the following message was brought to me from the Navy: From the U. S. S. *Simpson* at Nanking, dated 11:30 p. m., February 1:

"Japanese vessels continue firing on Nanking. Have shifted berth to get out of line of fire. Firing continues intermittently. No warning was given."

I told him that this conduct would gravely interfere with our efforts and good offices and that the firing should be stopped at once if any good effects were to ensue.

H[ENRY] L. S[TIMSON]

⁹ See telegram No. 81, Jan. 31, 1932, from the Ambassador in Japan, p. 169.

793.94/3902d: Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

WASHINGTON, February 1, 1932—3 p. m.

34. You will please arrange to call on the Minister for Foreign Affairs at 6 o'clock evening, Tokyo time, February 2d, to deliver to him a note the text of which follows:

You will say to the Minister for Foreign Affairs by way of introduction that you have conveyed to the American Government his request made at your conference with him on January 31 to the effect "that he requested that the United States use its good offices to induce the Chinese troops not to bring up further reenforcements and to withdraw the troops now in Shanghai to a safe distance to avoid clashes."¹⁰ You will say that your Government has given earnest consideration to this request and in response suggests to the Japanese Government the following proposal for such cessation of hostilities. You will say that the same proposal is being submitted to the Chinese Government. You will then read him the following note and leave with him a copy of it.

"PROPOSAL OF THE POWERS FOR CESSATION OF CONFLICT

1. Cessation of all acts of violence on both sides forthwith on the following terms.

2. No further mobilization or preparation whatever for further hostilities between the two nations.

3. Withdrawal of both Japanese and Chinese combatants from all points of mutual contact in the Shanghai area.

4. Protection of the International Settlement by the establishment of neutral zones to divide the combatants. These zones to be policed by neutrals. The arrangements to be set up by the Consular authorities.

5. Upon acceptance of these conditions prompt advances to be made in negotiations to settle all outstanding controversies between the two nations in the spirit of the Pact of Paris¹¹ and the Resolution of the League of Nations of December 9 [10],¹² without prior demand or reservation and with the aid of neutral observers or participants."

The British Government is sending the British Ambassador similar instructions. The British Government is proposing to the French and the Italian Governments that they take similar action. In the event that those Governments decide favorably within time to make possible this presentation by their Ambassadors of like representations at the same time, you will be informed either through the Department or

¹⁰ See telegram No. 31, Jan. 31, 1932, from the Ambassador in Japan, p. 169.

¹¹ Department of State Treaty Series No. 796.

¹² *Ante*, p. 59.

through your British colleague. Confer with the British Ambassador and arrange that you and he make your calls at the same time.

STIMSON

793.94/3875 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 2, 1932—9 p. m.
[Received February 2—10:55 a. m.]

34. Department's 34, February 1, 3 p. m. The British Ambassador and I met the Foreign Minister at 6 o'clock. The French Ambassador's message did not arrive in time to be decoded for simultaneous presentation but he arrived with it before the interview was over. Mr. Yoshizawa's attitude and words were wholly conciliatory. He began by asking us to express his appreciation to our Governments for their prompt and effective consideration of his request for our good offices in the effort to secure the withdrawal of Chinese forces. After reading the two notes carefully, comparing them line by line, he began by saying he could see no reason for the inclusion of the fifth point with the others. He said it was wholly unrelated; the British Ambassador explained the relationship and we made it clear to him that it carried with it a concession by China, as the Chinese had always insisted on evacuation as a condition precedent to carrying on negotiations. The Foreign Minister said, however, that his predecessor and he had always stood definitely against the inclusion of neutral observers and that he knew his present Cabinet felt the same and would not assent to it. He said he was favorably disposed to all of the first four points and would take the matter up with the Minister of the Navy, indicating that he would recommend favorable consideration, and asked if the acceptance of these four points would be satisfactory to our Governments. I pointed out to him that China was also concerned and as these identic propositions were being simultaneously made to Nanking we could not answer how acceptable the acceptance of a portion would be; but we all agreed and recognized that these first four points if agreed upon immediately would end the tense situation in Shanghai, which is the matter of most immediate import now. We all agreed to advise our Governments in this sense. (By the time we had reached this point the French had arrived and all three agreed.) He promised to take the matter up immediately and let us know immediately—probably tomorrow morning.

He advised me that he had sent a full explanation of the shelling at Nanking to Mr. Debuchi. He would not say that additional land troops were being sent but stated they were considering it. The situation is tense here, and there is a good deal of nervousness among

the American residents; additional police have been put about the British and our Embassies to guard against possible demonstrations.

Today the Chief of the General Staff of the Navy has resigned and Prince Fushimi has been nominated in his place; this making parallel organization to the recent change in the military establishment.

I heard confidentially that Admiral Nomura had been selected, because of his cooperative character, to be sent to Shanghai where he will direct operations.

FORBES

703.04/4017

Memorandum by the Under Secretary of State (Castle) of a Conversation With the Japanese Ambassador (Debuchi)

[WASHINGTON,] February 2, 1932.

The Ambassador, who had evidently had no recent word from Japan, came to tell me what he thought about the joint note presented yesterday to Yoshizawa.¹³ He said that, inasmuch as the Japanese Government had asked for the good offices of the different nations in putting a stop to the fighting at Shanghai, he felt in the first place that it would not be possible for the Japanese Government to take offense, but it rather should be grateful for the very prompt response. He said that, in his personal opinion in studying the note, it seemed to him that the Japanese Government ought to be able promptly to answer favorably the first four points, that he felt the fifth point to be more difficult for them to accept. I said that I realized this, but that, nevertheless, we believed the fifth point to be of the highest importance because what we hoped might come out of this was a real settlement of the various questions at issue. The Ambassador said that he understood this, but that what he felt to be of immediate importance was the prompt acceptance of the four points which would put an end to fighting, that this would give time for the Japanese Government to consider the fifth point in a better atmosphere than was at present possible. He said that he could not feel that the Cabinet would, off hand, accept the fifth point. I told him that, of course, I could make no comment on this, but that if he was correct I hoped most earnestly that, in making an answer, the Japanese Government would find it possible frankly and fully to accept the four points and that they would not refuse to accept the fifth point, but would state instead that they would be happy to take it under consideration and to discuss the matter with the powers. Mr. Debuchi said that this was what he was cabling or had cabled his Government and that he had come to see me largely to find out whether we really laid stress on the fifth point as I told him we did.

¹³ See telegram No. 34, Feb. 1, 1932, to the Ambassador in Japan, p. 174.

The Ambassador then brought up the fact of the appointment of Admiral Nomura to Shanghai to have general charge of operations here as something very favorable to the whole affair. Admiral Nomura, he says, is a great friend of Admiral Pratt's,¹⁴ who would, he was sure, endorse the Admiral's competency and fair mindedness. He then said that he himself felt it would be a good idea to have all the Japanese troops go into the Settlement, where they would not be able to fight with the Chinese. I told him that it would seem to me wiser to have the Japanese sailors and Marines, if there were any, get back onto their ships rather than to crowd into the Settlement; that I felt if enormous numbers of Japanese troops went into the Settlement the result might be to bring fighting into the Settlement. He admitted that this might be the case, since, as he put it, "when Japanese troops are anywhere they always seem to feel they have got to do something." He pointed out also that wherever there were Japanese troops there was likely to be sniping on the part of the Chinese. I admitted this and said this was one excellent reason for the establishment of neutral zones across which there would be no sniping either from one side or the other.

The Ambassador brought up a report that certain Japanese land forces had already been despatched to Shanghai. He said that, although he could not deny this officially, he felt it was premature, that it would have been impossible for Japan to ask for good offices and then immediately despatch an expeditionary force. I told him I hoped he was correct. He said that undoubtedly the sending of a regiment from Manila would make the Japanese feel that, to protect their 25,000 nationals in Shanghai, they also should send land forces. I told him that the only reason we sent land forces was that they were the only ones immediately available and that obviously more assistance was needed in the Settlement. He said he understood this perfectly himself and was trying to make it clear to his Government.

In leaving the Ambassador said that he would, of course, pass on to us any information which came to him and that he in the meantime would again telegraph very urgently to his Government not to throw down point five of the joint note.

W. R. CASTLE, Jr.

93.94/4011

Memorandum by the Secretary of State

[WASHINGTON,] February 3, 1932.

This afternoon the Japanese Ambassador called at Woodley. He told me that he had received word that the Japanese were evacuating

¹⁴ Admiral William V. Pratt, Chief of Naval Operations, United States Navy, 930-33

our Sector and that arrangements were being made so that there would be a termination of the trouble we have been having with them. I questioned the Ambassador at considerable length on this; his information was rather vague. I told him our information was very serious as to the interference which their irregulars and some of their regular marines were making with our own marines and that our marines had been very patient and had not fired a shot, but that the danger was very serious if other troops were using our Sector as a base of attack on the Chinese.

The Ambassador told me that while the Japanese destroyers were passing the Woosung Fort they were fired at and they returned the fire and he did not know what had been the result. I told him that my information was that it was the Japanese who were firing over our Settlement from their ships and were making very serious trouble for us because they sometimes hit the Settlement itself.

The Ambassador told me that the Japanese were having some difficulty with our five points; the first four points did not offer serious difficulties, he said, but the fifth point brought in the Manchurian question and the Japanese nation was opposed to having a third party take part in negotiations over Manchuria. He asked me if we insisted upon that point. I said that the President himself was extremely firm on that point; that we considered that there was no use in temporizing in stopping individual controversies and conflicts if the cause of the controversy was not ended; that we had suggested a way of ending it, which was not only in conformity with our treaties and with the resolution of December ninth [*tenth*] of the League (to which the Ambassador had referred), but which was also in conformity with the procedure which had worked in the past, namely the neutral observers which had been so successful at Shantung. The Ambassador pressed me very hard on whether we would not be willing to separate the first four points from the fifth. He said the house was on fire and would it not be better to put out the fire first. I said I made no objection to his putting out the fire; in fact I was insisting on it, perhaps that would clear the air but our position was clear that the whole controversy must be settled or we would have no good result. He said, "Here we were contemplating sending two divisions of land troops to China and instead of that we sent and asked you to use good offices; does not that show we were conciliatory and do you really think you ought to dictate to us as to the fifth point." I said we had no idea of dictating but we put up a proposition which we thought should be considered altogether, but I said to him the present situation in Shanghai must be handled, whether or not you had requested good offices. I said even if you had made no such request and even if we had not suggested any five points at all, I should have been obliged to call you today on account of the serious

information which I have received, and I want you to make sure that you convey to your Government the following points: first, that we are determined to defend the International Settlement as it is the only way by which we can save the lives of our nationals, and the British are equally determined; second, we cannot successfully defend the International Settlement if you continue to use it as a base against the Chinese Army because that will provoke the Chinese Army to attack it with their numerous forces, therefore you must absolutely stop using it as a base; third, the evidence that we get today, coming not only from my own officials but from all of the civil and military officials in the Settlement, is that your troops and your irregulars and your "ronins" are violating the neutrality in the Settlement and are using it as a base of attack against the Chinese; that absolutely must stop or otherwise we will all be involved in a great catastrophe. I insisted that he take down these points and submit them to his Government.

H[ENRY] L. S[TIMSON]

93.94/3963b : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

WASHINGTON, February 3, 1932—5 p. m.

37. American Consul General, Shanghai, reports to the Department that the Consular Body has received from the Defense Committee at Shanghai a strong protest, dated February 2, against the stationing in their sectors of Japanese detachments who commit acts of unnecessary violence against the Chinese population, thereby causing ill-feeling between various nationals stationed in Shanghai and arousing a dangerous feeling of hostility among the Chinese against troops of other powers who are properly responsible for those sectors. The protest states that emphatic protests have already been made to the Japanese Commander without any result to date.

[Paraphrase.] You should immediately and emphatically protest again to the Japanese Government on the basis of the above information, which you should cite in this connection. You should inform the Japanese Government that the Government of the United States assumes that the Japanese armed forces are so thoroughly disciplined that their actions can be controlled and that, accordingly, the Government of the United States urges that the action of these Japanese forces be subjected to proper measures of control. You should state that this Government regards it as desirable that the Japanese armed forces should discontinue all of their activities in the International Settlement except for such activities as are directed or authorized by

cause unnecessary danger to life in the settlement of Japanese in peace and order.

The British Ambassador at Tokyo has been instructed by his Government to renew his protests, and similar action by the Italian and French Governments has been suggested by the British Government. [End paraphrase.]

STIMSON

703.04/3948 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 4, 1932—10 a. m.

[Received 1:09 p. m.]

39. The Foreign Minister met the British, French Ambassador[s] and myself at 6 o'clock this evening.

In regard to point number 1,¹⁵ he said that the Japanese forces will cease hostile acts if it is assured the Chinese forces will immediately and completely stop their menacing and disturbing activities. If on the contrary the Chinese, including both the regular and plain-clothes soldiers; persist in such activities, the Japanese Government must reserve full freedom of action for its military forces.

In regard to number 2, he said that, in view of the unreliability of the Chinese in the past and of the gravity of the present situation, the Japanese Government finds it impossible to renounce the mobilization or preparation for hostilities.

In regard to number 3, he said the Japanese Government has no objection to their consular officers and commander of their forces entering into negotiations for an agreement concerning the separation of the respective forces and the establishment, if necessary, of a neutral zone in the district of Chapei. (Note: This also, it was explained later, was meant to answer number 4.)

In regard to number 5, he said that, while it is to be presumed all outstanding controversies between Japanese and Chinese included the Manchurian question, the Japanese Government regards this matter as entirely separate from the Shanghai affair and that moreover it is covered by the resolution of December 10 last and that furthermore it is a settled policy of the Japanese Government not to accept the assistance of neutral observers or participants in the settlement of questions concerning Manchuria. For these reasons the conditions in paragraph number 5 of the powers' note are not acceptable to the Japanese Government.

¹⁵ See telegram No. 34, Feb. 1, 1932, to the Ambassador in Japan, p. 174.

The foregoing is substantially a translation of the note which he handed to me as a reply to that contained in Department's 34, February 1, 3 p. m. It was not accompanied by an English translation. The translation made in the Embassy checks with it.

Asked whether it was the intention of the Japanese Government to send land troops, Mr. Yoshizawa replied that to meet the extreme seriousness of the situation in Shanghai the Japanese Government was preparing to send land troops; he said the seriousness of the situation was due to a little more than 2,000 marines facing Chinese troops 10,000 in number and that in the neighborhood there were 20,000, and that even these are being reenforced. Moreover the marines are continually being menaced by plain-clothes soldiers numbering nearly 3,000; some of these manage to filter into the Settlement. He said the Japanese were in a precarious position. If all these land troops are sent it will number at least 12,000 in addition to the marines now there. These, the Foreign Minister said, were for the sole purpose of protecting their own nationals and property.

Commenting on the reply, it was pointed out to the Foreign Minister that it was most disappointing in tone; that he had not accepted one single point of the five. This seemed to surprise him a little. He seemed to think that his Government had accepted numbers 3 and 4. It was pointed out to him that their expressing no objection to their officers' entering into negotiations was not an acceptance. And he was asked if we could read into these words "an acceptance in principle" of these points; to this he replied that we could and that it was intended in that sense. He was then asked whether they also accepted in principle the policing of the region by neutrals; and he said that would have to be left to be discussed locally: he preferred not to commit himself. It was pointed out to him that in the points we sent that the neutral zone was to be created between the Japanese and Chinese troops at all points in the Shanghai area, whereas in his so-called "acceptance" he limited it to the neighborhood of Chapei; his answer to that was that that was the only point at issue, but intimated that were contacts established at other points that it could be made to apply there. He did not make it clear why it was not so worded. The French Ambassador put the direct question: That if it were true, as reported, that the Chinese had accepted all of the five points, whether the Japanese still would despatch troops. Mr. Yoshizawa said they would because the condition of the Japanese marines and the residents was deplorable and that they were getting constant telegrams demanding protection and help and felt that it was necessary that they should be sent: he said nothing would justify their not doing it. He reiterated that they were not being sent to make war on the Chinese Army, but purely for protective reasons. He said that if

the Chinese would not assume the offensive or indulge in any further activities of their troops and of their plain-clothes soldiers, then his Government might reconsider sending as many men as now planned. But he repeated the fact that they felt the Chinese representations and promises could not be relied upon.

The British Ambassador then told him that the tone of the reply was distinctly disappointing. And I supported this by saying that I believed my Government would be grievously disappointed at the failure of the Japanese Government to respond more cordially to the suggested solution. The French Ambassador on behalf of his Government supported these expressions.

The Foreign Minister then said in view of the seriousness of the situation what else could he do? At which I took him aside and told him that if he had accepted as we had been told the Chinese had done there would not be any serious situation. He repeated that he was unable to do that.

As a last word as we were leaving he requested us to inform our Governments that the Japanese Government was willing to consider any further suggestions which our Governments might desire to present. He practically asked for new suggestions, which seems the only hopeful note of the interview.

I took up the matter of your telegram 37 with Nagai,¹⁰ who advised me that the marines had been withdrawn this morning from all other sectors. He expressed great regret that any excesses or improprieties had been committed, stated he would look into the facts which he would ascertain immediately and see that appropriate action was taken.

I shall send later the gist of a conversation I had with one of my colleagues.

FORBES

793.94/3990 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 6, 1932—noon.

[Received February 6—3:22 a. m.]

44. Department's 41, February 5, 6 p. m.¹⁷ The following is Embassy's translation omitting heading, et cetera.

"I have the honor to acknowledge the receipt of your note number 208 on February 2, 1932, transmitting by instruction of your Government proposals in regard to the Shanghai affair, and to state in reply the views of the Japanese Government in regard to these proposals.

¹⁰ *Supra*. Matsuzo Nagai was Japanese Vice Minister for Foreign Affairs.

¹⁷ Not printed; it requested the Embassy at Tokyo to telegraph text of Japanese reply to the note transmitted in telegram No. 34, Feb. 1, 1932, to the Ambassador in Japan, p. 174.

1. It is that the Chinese troops cease immediately and completely their challenging and disturbing activities. If this can be assured, the Japanese troops will also cease warlike activities. If, on the contrary, the Chinese (irrespective of whether they be regular or plain-others troops) continue these challenging and disturbing activities, the Japanese forces reserve complete freedom of action.

2. In view of the unreliable actions of the Chinese troops and of the gravity of the situation, the Japanese Government is unable to cease mobilization and preparation for hostilities.

3. The Japanese Government has no objection to its consul and commander entering into negotiations for arranging for separation of Japanese and Chinese forces, and, in case of necessity, for the establishment of a neutral zone in the Chapei district.

4. Assuming that the Manchuria affair is included in "all outstanding controversies between the two nations," the Japanese Government is unable to accede to this proposal because not only is the Manchuria affair distinctly a separate affair, but also because this matter was covered by the resolution of the League Council at the meeting on December 10th. Furthermore, it is the Japanese Government's fixed policy to refuse to accept the assistance of observers of a third country or of participants, in the settlement of the Manchuria affair. I avail myself, et cetera."

FORBES

3.94/4003 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 6, 1932—7 p. m.
[Received February 6—9:25 a. m.]

47. We are informed by the Foreign Office that a suggested solution of immediate Shanghai difficulties involving procedure in carrying out in part suggestions in my telegram number 34, February 2, 9 p. m., is under way. It has been agreed to here by the Japanese military, naval and Foreign Office authorities, instructions in regard to which are being cabled to their commanding officers in Shanghai.

The program contemplates immediate cessation of hostilities in the Shanghai area, creation of a neutral zone patrolled by neutrals, and probably continued occupancy by Japanese forces only of that portion of the region outside the Settlement predominantly inhabited by Japanese. This is a marked concession over anything the Japanese have hitherto been willing to discuss and opens up an encouraging way of solving the immediate difficulties.

For strategic reasons the Japanese are particularly desirous that this be worked out and the suggestions originate from Shanghai and not be the result of further representations in Tokyo from America and Europe.

Strongly recommend that you cable Cunningham directing him to operate in this movement.

Have consulted the British and French Ambassadors here and they concur in this recommendation and are cabling their representatives in Shanghai and also their home Governments advising that all appearance of outside pressure upon Japan be avoided at present.

I have telegraphed Cunningham as follows:

"Developments here indicate that a possible solution of immediate Shanghai difficulties may be now authorized by instructions to Japanese authorities in Shanghai, who will undertake negotiations. Suggest you communicate this information to American Army and Navy commanders. We are telegraphing Washington recommending you be instructed to cooperate in the movement."

I am informed that 3,000 Japanese land troops will arrive in Shanghai or its immediate vicinity tomorrow to cooperate with and relieve all or a portion of the Japanese marines now ashore and reported to be quite exhausted with their duties there. I am further informed that these are all the Japanese land forces which have left Japan. No further troops will be sent before tomorrow or Monday and perhaps will not be sent at all if the situation quiets down.

Repeated to Nanking.

FORBES

793.94/4014a : Telegram

*The Secretary of State to the Consul General at Shanghai
(Cunningham)*

[Paraphrase]

WASHINGTON, February 6, 1932—8 p. m.

3. I assume that you have already been advised that the Japanese Government is elaborating proposals for negotiations to be undertaken by Japanese representatives at Shanghai toward settlement of the situation at Shanghai.

Ambassador Forbes informs me that the proposals embrace the following points: (1) Immediate termination of hostilities in the Shanghai area; (2) institution of a neutral zone which will be policed by neutrals; and (3) apparently continued occupation by Japanese troops of the region outside the International Settlement in which Japanese nationals predominate. The Ambassador has been informed that on Sunday 3,000 Japanese troops will be landed at or near Shanghai, that no other Japanese military forces have as yet been dispatched from Japan, and that the Japanese Government will send no more land forces prior to Sunday or Monday, if then.

I assume that the Japanese authorities at Shanghai will approach you in connection with these proposals and you are authorized,

should you and the British and other authorities be so approached, to cooperate in an endeavor to find a solution on the basis of these proposals. For that purpose, I wish to give an accurate indication of our attitude in order that you may protect the American interests involved, without undertaking commitments or creating precedents which would be embarrassing in the future, in the course of your necessary participation in the negotiations.

1. The proposal must be considered entirely as a proposal coming from Japan. It is in no way an acceptance of the recent four-power proposal for a lasting settlement of the controversy.

2. Notwithstanding this fact, it is a matter of importance to us if the termination of the hostilities which at present are endangering the International Settlement be effected, provided that this truce does not prepare the way for greater complications for the future or infringe upon the principles which are now maintained to protect the Settlement.

3. Bearing this in mind, you should oppose allowing new troops to be landed in the Settlement unless they have been designated to take part only in the protection of the Settlement as such and are not intended for operations outside of the Settlement. If there is evidence that this principle is to be violated you should make an appropriate protest. You should attempt to obtain the most sweeping engagements possible from both the Chinese and the Japanese authorities that there shall not be at any time, either now or in the future, any interference with the commerce and trade of the Port of Shanghai. You should attempt to secure an undertaking from the Japanese authorities that none of their proposed new forces are intended to effect any permanent occupation outside of the International Settlement and that, as soon as the present emergency has passed, they will withdraw all of such forces in excess of the ordinary landing forces hitherto maintained. You should avoid any pressure upon the Chinese which will give them any chance to say or believe that we have sided with Japan in forcing them to conclude a truce disadvantageous to them, or any pressure upon the Chinese to take any action which is not essential to the defense of our interests in the International Settlement. If these efforts result in the proposal of a neutral zone outside of the International Settlement, which zone is to be patrolled by neutral forces, the American authorities at Shanghai are authorized, if they deem it advisable, to consent to the creation of such a zone and to participate in its policing if the Chinese have consented to its establishment.

Keep me currently informed of the progress of the negotiations contemplated in this proposal and, in case difficulties arise, report them to me for such help as it may be possible to give you. The Japanese Government has requested strict secrecy for the time being in connection with this proposal. You should, however, inform Admiral Taylor, confidentially, concerning the above.

STIMSON

793.94/4156

*The Japanese Embassy to the Department of State*¹⁸

STATEMENT OF THE JAPANESE GOVERNMENT FEBRUARY 7, 1932

It is the immutable policy of the Japanese Government to ensure by all means in their power the tranquillity in the Far East and to contribute to the peaceful progress of the world. Unfortunately in late years the internal discord and unsettled political conditions prevailing in China, coupled with rampant anti-foreign agitation, have given cause for serious concern to all the other powers, especially Japan, which, because of her geographical proximity and vast interests there which are involved, has been made to suffer in far greater degree than any other. While the Japanese Government, in their solicitude for neighborly amity and international good understanding, have exerted every effort to maintain a conciliatory attitude, China, taking advantage of our moderation, has resorted to frequent infringements of our rights and interests, to various acts of violence towards Japanese residents, and to intensifying the vicious anti-Japanese movement which is without parallel elsewhere as it is under the direct or indirect guidance of the Nationalist Party which is identified with the Nationalist Government itself.

2. It is under these circumstances that the Shanghai incident has broken out. It is similar to numerous outrages and insults that had previously been perpetrated at Tsingtao, Foochow, Canton, Amoy, and elsewhere in that they are all characterized by Chinese contempt for Japan and Japanese and by acts of physical violence. The Shanghai incident only happened to be a most flagrant case. On the 9th of January last, the vernacular journal *Minkuo Daily News* published an article insulting the honor of our Imperial house. Shortly afterwards, on the 18th, a party of Japanese priests and their companions of five persons in all were the subjects of an unprovoked attack by Chinese desperados. As a result, three of the victims were severely wounded and one was killed. The shock of these events was sufficient to explode the long pent up indignation felt by the Japanese residents in Shanghai who had suffered for many years past and had exercised the utmost restraint in the face of increasing Chinese atrocities and affronts.

3. Noting the extreme gravity of the situation, the Japanese Consul General, under instructions of his Government and in order to do all that was possible to prevent, by local solution, any aggravation of the case, presented to the Mayor of Shanghai on January 21 a set of four demands including one for the dissolution of anti-Japanese societies. At three o'clock on the afternoon of January 28, the Mayor's

¹⁸ Left with the Under Secretary of State on February 7, 1932.

reply, acceding to the above demands, was received. The Japanese authorities, hoping that the tension might then relax, decided to wait and watch the performance of their promise on the part of the Chinese. However, soldiers belonging to the 19th army then concentrated in the vicinity of Shanghai began, for reasons connected with internal politics, to display signs of recalcitrance towards the Nanking authorities and appeared to be making hostile preparations in spite of the Mayor's acceptance of our terms thus creating a new source of danger. In the meantime Chinese soldiers in civilian costume and various lawless elements had stolen into the international settlement creating a source of danger to the quarter in the vicinity of the municipal offices. Many alarming rumors were in circulation and residents were plunged into an agony of terror, the police of the Chapei District having taken flight. Thereupon, on the 28th at 4 o'clock the authorities of the settlement proclaimed a state of siege and armed forces of the Powers were ordered out to duty in accordance with plan that had been previously agreed upon. It was when Japanese marines were proceeding to their assigned sector in Chapei that the Chinese opened fire upon them precipitating a conflict between the Chinese and Japanese armed forces of which the present situation is the outcome.

4. As is clear from what has been said the incident of the Chinese assault upon Japanese priests and the incident of the armed Sino-Japanese conflict were entirely separate affairs. With regard to the armed collision as it was entirely contrary to every intention of ours and as the British and American Consuls General offered the tender of their good offices, the Japanese authorities sought to effect a cessation of hostilities and, in fact, succeeded on the 29th in arriving at an agreement for a truce. But, on the following day, the Chinese, in contravention of their pledge, opened fire once more. At a conference summoned on the 31st it was agreed that the opposing forces should cease from all hostile action during the progress of negotiations for the establishment of a neutral zone. However, the Chinese resuming their offensive are continuing concentration of their troops in the neighborhood of Shanghai. So far, the Japanese navy desiring, in view of the international character of Shanghai, not to aggravate the situation has refrained from taking any drastic action while the Chinese spreading news of Japanese defeats are manifesting even greater vehemence in their actions.

5. In the existing state of affairs in China uncontrolled and in view of historical precedents in such cases we can have no assurance as to the possible behavior of vast armies congregated in the Shanghai area, should unscrupulous politicians care to incite them. Our marines opposed to the Chinese forces outnumbering them by more than ten to one are being wearied to exhaustion while the predicament of the Japanese residents facing imminent danger as they do is beyond

description. In order to meet the absolute necessity of at once despatching adequate military reinforcements (as there are obvious limitations to naval units which can be landed) so as to put an end to the menace of the Chinese armies, to restore Shanghai to normal conditions, and to relieve the inhabitants of all nationalities from the strain of fear and disquiet, decision was taken to order the necessary military forces to Shanghai.

6. It should be stated that this despatch of military force carries no more significance than the despatch of marines in accordance with the practice on several previous occasions and that the Japanese Government are prompted by no other motive than that of discharging their international duty and of safeguarding the large number of Japanese nationals and Japanese property worth many hundreds of millions involved in the affair.

The expeditionary force has been therefore limited to the strength absolutely required for the above purposes and its action will be guided solely by a policy of protecting the common interests of all the powers. Unless the Chinese, by continuing hostilities or by obstructing our army in attaining the above ends, compels it to take necessary action, there is, of course, no intention whatever that it should enter upon an aggressive campaign. The Japanese Government have already declared that they cherish no political ambitions in the region of Shanghai nor any thought of encroaching there upon the rights and interests of any other powers. What they desire is to promote the safety and prosperity of that region by cooperation with the other powers and mutual assistance and so to contribute to the peace and well being of the Far East.

793.94/4152

Memorandum by the Under Secretary of State (Castle)

[WASHINGTON,] February 8, 1932.

The Japanese Ambassador called to say that he had news that the first Japanese land forces had landed at Woosung at six last night, consisting of 3,000 of a mixed brigade. They found the bridge across the Woosung Creek destroyed and did not attempt to cross it to take the Woosung forts. Instead they proceeded directly to Chapei. He said the distance was only about 15 miles and that there was a good road so they probably have already reached there. He said that they were part of the Twelfth Division coming from Kokura. The Ambassador said that the further troops which were to be sent, making apparently something like a division, were coming from Kanazawa, which is near Tsuruga.

The Ambassador asked me whether we had heard anything about what seemed to him a foolish story of the attempt to establish neutral

zones around certain Chinese cities. I told him that we had merely heard the story and that the Secretary had told the press that he did not think there could be anything in it, since Japan had so distinctly stated on December [November?] 9th that they stood with England and this country in defending the territorial and administrative integrity of China.¹⁹ Mr. Debuchi said that he believed the story must be completely false, but admitted that he was becoming very careful as to the statements he made. He said he hoped the situation was becoming quieter in Shanghai as he understood the Japanese Government had proposed the establishment of neutral zones. I said this was so and that, in addition, they had proposed the immediate cessation of hostilities. He said that, under these circumstances, he supposed nothing more would be done by the powers at the moment. I told him this was true as to Shanghai for the time being, on condition, of course, that the fighting stopped and that Japan did not send another division, for example, to take Nanking. He asked me whether there was any possible fear in the United States that Japan would do such a thing. I told him that Japanese actions had been so unpredictable and understandable all along that we naturally were afraid of everything. He said he could not see how any move on Nanking would be possible, but again reiterated that he would not be foolish enough to make any definite statements without instructions. I told him that so long as there were Japanese warships stationed at Nanking it could only look like a threat and that a threatening attitude was likely to cause trouble at any moment.

W. R. CASTLE, Jr.

793.94/4146

Memorandum by the Secretary of State

[WASHINGTON,] February 8, 1932.

I met the Japanese Ambassador at 3:30 this afternoon as I was coming into the building and as he was coming out from a conference with the Under Secretary. The Ambassador told me of the report he had made to the Under Secretary and referred to negotiations which he understood were going on at Shanghai.

I told him that I understood that some negotiations were going on there, but so far as we were concerned, they must be considered entirely as a proposal coming from the Japanese; that I did not wish to have any misunderstanding on the part of his Government as to that; that the four powers had made a balanced proposal which we considered fair for both sides; that the Japanese had rejected

¹⁹ See the memorandum handed to the Secretary of State by the Japanese Ambassador on November 9, 1931, p. 39.

one of the elements which was considered in favor of the Chinese. The Ambassador nodded his head and said, "You mean the fifth point". I said, "Yes. Our proposal having been thus rejected, we have not renewed it, and whatever proposals are now made can be understood as coming from the Japanese." He asked me whether we were going to make any further proposals. I told him I did not know.

H[ENRY] L. S[TIMSON]

793.94/4068: Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 9, 1932—7 p. m.
[Received February 9—8:25 a. m.]

57. At the request of the Foreign Office, Mr. Yosuke Matsuoka called on me this morning for a long interview. He has been requested by the Prime Minister and the Foreign Minister to proceed immediately to Shanghai to act as liaison officer between Japanese conciliators and foreign powers. He has been for many years in Manchuria as an important official of the South Manchuria Railway and has a remarkable command of English. He seemed in most cooperative frame of mind.

While he said the Japanese were a unit in regard to the insistence of their treaty position in Manchuria, the public generally were much opposed to the Shanghai incident and to any fighting in any part of China and that they had a genuine desire to put an end to it. He said his Government wanted to stop all troubles with China. He also laid stress upon their determination to consider the Manchurian incident as dissociated from all other Chinese incidents but I told him they had the relationship of cause and effect and until the cause, namely, the bitterness aroused by the Manchurian incident had subsided, the troubles like this in Shanghai were likely to recur; and I urged an early settlement of the Manchurian problem, whether by one set of negotiations or two. I urged that he, as mediator, endeavor to give the Chinese every consideration, reparation for their losses, and some concessions, so they could feel they had some victory in the negotiations to report to their people, in the interests of fairness and of future friendly relations. . . .

I have given him a letter to Cunningham and written Cunningham the substance of this communication.

FORBES

93.94/4129c : Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, February 10, 1932—8 p. m.

50. Our 45, February 6, 8 p. m.²⁰ The Japanese Government last week made the suggestion to the American Ambassador and several other Ambassadors at Tokyo that negotiations for the purpose of stopping hostilities and establishing a neutral zone should be held upon Japanese initiative at Shanghai. Although five days have elapsed since then, however, the fighting continues in the Chapei area, Japan bombards the fort and village of Woosung, sends army forces, and continues to jeopardize the safety of the International Settlement by the methods employed in its military operations.

On the basis of the best information in possession of the Department it appears Admiral Kelley has been informed by Admiral Nomura that if the Chinese will withdraw to a distance of 20 miles from Shanghai, he will withdraw the Japanese forces to Hongkew; and the spokesman of the Japanese Foreign Office has made the statement that until the Chinese are driven 20 miles from Shanghai the fighting will continue.

The Consul General at Shanghai has informed me that the Japanese have not approached him, that he sees no indication on their part of intention to proceed with this plan and along with the British Consul General he believes that for peace negotiations the Japanese have no plans.

Accordingly, Shanghai has been instructed as follows:

"The Department agrees with your belief that the Japanese do not have any plans for a peace parley. No longer have we any reason to think that by such a move anything is likely to be accomplished; that is, by relying on the suggestion made by the Japanese last Saturday which we think has either been cancelled without notice or was merely an attempt to gain time on their part. We believe the position that the Chinese should retire 20 miles, reported to have been taken by the Japanese Admiral in conversation with the British Admiral, is entirely inadmissible insofar as it involves any consideration, participation, or sanction on our part. According to such information as is available to the Department, we believe that the Japanese may be laying plans for a wide turning movement against the Chinese forces in the Chapei area. The possibility that the Japanese may drive the Chinese forces against the Settlement is visualized by the Department. American effort on the spot we feel should be confined to attempting by all appropriate means to protect the International Settlement.

London and Tokyo are being informed likewise."

²⁰ Not printed; it quoted telegram No. 3, Feb. 6, 1932, to the Consul General at Shanghai, p. 184.

It is for your information that the above is being sent. No communication is to be made to the Japanese authorities. The British Ambassador and, at your discretion, the French and Italian Ambassadors may be informed orally.

STIMSON

793.94/4141: Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, February 12, 1932—6 p. m.

54. Embassy's 61, February 11, 10:00 p. m.; and 64, February 12, 6:00 p. m.²¹ I am convinced by the information which has come to me from many sources that the Japanese military authorities at no time have considered any cessation of hostilities upon any fair basis since their initial repulse at Shanghai, but throughout, in the hope of restoring their prestige, have been determined to force a military decision. The statements and actions enumerated in your telegram No. 61 I cannot therefore credit as in fact indicating any possibility of a settlement except on terms so humiliating to the Chinese that in securing them we could not possibly participate. Consequently, I prefer that there not be any initiative, however indirect, looking towards such efforts taken by any of your staff in Tokyo. It is my opinion that such action is likely to lead to misinterpretation and humiliating rebuff. In this country the feeling is very strong that we have done everything towards conciliating Japan consistent with our dignity.

STIMSON

793.94/4181: Telegram

The Consul General at Shanghai (Cunningham) to the Secretary of State

SHANGHAI, February 14, 1932—noon.

[Received February 14—3 a. m.]

48. Your telegram No. 22, February 13, 2 p. m.²² Following protest dated February 13 was made to Japanese Consul General on the basis of Department's February 11, 6 p. m.²²

"I have the honor to refer to a telephone communication from your Consulate General at 3:20 o'clock this afternoon informing me that Japanese troops were expected to land at the Nippon Yusen Kaisha Wayside wharf in the International Settlement tomorrow, February 14.

²¹ Neither printed.

²² Not printed.

In connection therewith, I have to state that on behalf of the American Government I protest against any use whatever by either of the disputants of any part of the International Settlement as a base or channel in connection with military operations."

British Consul General informs me that he is today making similar protest under the direction of his Minister against the use of the Settlement as a base for military operations unconnected with the defense of the Settlement. I am taking up question with my French colleague and will telegraph his attitude later.

Repeated to the Legation, Nanking, Tokyo, for information.

CUNNINGHAM

793.04/4201 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, February 15, 1932—6 p. m.
[Received February 15—9:30 a. m.]

67. The Foreign Minister received five Ambassadors, German, Italian, French, American and British at 4 o'clock this afternoon.

He stated he was going to give a frank exposition of the Japanese position in Shanghai. The Ninth Division had already arrived and the landing would be completed by tomorrow, at which time they [would] have 15,000 land troops and 3,000 marines. The Chinese Nineteenth Army Corps of 31,000 men, the officers being wholly Cantonese, was stationed from the Chapei region all the way to Woosung and was continuing an offensive and defensive attitude and claiming that they had scored a victory over the Japanese marines which was being used as propaganda and causing great uneasiness among Japanese citizens in various Chinese cities throughout the south of China as far as Canton.

In reply to a question, he said emphatically that the Japanese had no intention of sending troops to any of these cities; that on the contrary they were determined not to.

He gave a brief résumé of the effect during several months of the presence of this Cantonese army near Shanghai and Nanking and said that their officers seemed now to have what he called a "desperate psychology" and had led the Chinese Army to believe they had won a victory, a claim which he explained was due to the defensive attitude and insufficient numbers of Japanese marines.

He said: "It is believed that the Japanese Army will demand the Chinese Army to withdraw and that this step was necessary because so long as they remained where they were they menaced the security of the Settlement and Japanese resident nationals." He said that if the demand was not accepted he presaged a clash and an attack by

the Japanese Army, but stated that the Chinese Army, if they would withdraw, or after they had been driven back a reasonable distance (which he defined as the range of the Chinese cannon), would not be followed up and at that time the Japanese may enter upon negotiations for the establishment of a zone.

He disclaimed absolutely any project on the part of the Japanese Government to move toward the establishment of neutral zones around any other cities.

FORBES

793.94/4265

Memorandum by the Secretary of State

[WASHINGTON,] February 15, 1932.

The Japanese Ambassador came in to see me. He said that he came not by instruction but on his own initiative to tell me what the Japanese were doing. He said that the first land forces were landed at Woosung on February 7 and the following day; that this was a mixed brigade from the Twelfth Division; that the second installment of their land troops was the Ninth Division which was landed on the 13th, 14th and 15th of February. He told me that no other land forces were to be landed. I pressed him categorically on this landing of forces and asked him if this applied to all of China and was he sure that no other land forces would be landed elsewhere than at Shanghai. He replied that he was.

The Ambassador then told me that there were a number of rumors that he wished to deny. He said that the Japanese were not seeking any exclusive concession at Shanghai; that they had no idea of it whatever; that they asked for nothing more than their rights in the International Settlement. He told me that his Government was not proposing to create any neutral zone or demilitarized zone at any other place in China than Shanghai and that the report to that effect recently published was only the statement of a very low official in the Foreign Office. I laughed at this and he then said that it was the same official that had previously made trouble. I then told him that I should not have given much attention to the statement by the spokesman of the Foreign Office if it had occurred by itself and in normal times but that here it fitted in too closely with other statements and other things that the Japanese were doing to be disregarded. I reminded the Ambassador how the Japanese Government had rejected the fifth point of the four Powers in their effort at good offices by stating that they would not permit any representative of a third power to participate in any negotiations as to Manchuria. I called his attention to the fact that we and the British and the French who made the

suggestions were signatories of the Nine-Power Pact²³ and that we considered that we had a right to participate in discussions about that pact concerning all of China, including Manchuria. He stated that that was true, and he said that the Japanese had no intention of disregarding or not faithfully abiding by the Nine-Power Pact; that Japan had scrupulously kept her treaties. I again told him that the difficulty was that the facts here were against it and that the events occurring at Shanghai were difficult to reconcile with the covenants of the Nine-Power Pact and therefore I felt that the statements of the spokesman of the Foreign Office at Tokyo to the effect that Japan wished to repeal the Nine-Power Pact must be given more weight than they would in normal times.

I then told him that I had heard of the landing of the troops which he spoke of and that they were being landed in the Settlement contrary to the previous promise of the Japanese Consul General after our protest; that I regarded this as a very serious matter because it would inevitably provoke, and justly provoke, the resentment and reprisals of the Chinese when they found that they were being attacked by Japanese using the International Settlement as a base; that I was proposing to protest again about that publicly and to notify the Japanese Government that we proposed to hold them financially responsible for all damages which we suffered from such use of the Settlement as a base for military operations. He at once became very much interested in this and wanted to know how I was going to make the protest. I told him I should make it to Tokyo but I would notify him.

I told the Ambassador that I had finally received a report on the Ringwalt case²⁴ and I gave him a summary of what had happened, from the note which Dr. Hornbeck had placed in my hands. I told him that it was absolutely necessary for the protection of our people in the Settlement that he should see that the authority of our Consuls and Vice Consuls was protected and that their persons were protected; that Mr. Ringwalt was performing one of his duties while he was made a victim of this assault and that although the Japanese Consul General had expressed his regret to Mr. Cunningham, I thought that we should have a formal apology from the Japanese Government. The Ambassador asked me how I wanted that done; whether it would do to have it made at Shanghai to our Minister by the Japanese Minister. I said that I would prefer it here but would take into consideration the other method if they were accustomed to it; that we made no request for an indemnity but we would

²³ *Foreign Relations*, 1922, vol. I, p. 276.

²⁴ Arthur R. Ringwalt, American Vice Consul at Shanghai, who was attacked by Japanese civilian guards on February 11, 1932, inside the Japanese-occupied Hongkew section of the International Settlement.

make a request for a more vigorous effort to punish the offenders. He said he would convey my representation to his Government.

H[ENRY] L. S[TIMSON]

793.94/4334

Memorandum by the Secretary of State

[WASHINGTON,] February 17, 1932.

The Japanese Ambassador came to see me at Woodley at 2:30 p. m. today. He told me he came to present his sincere regrets for the action of the Foreign Office at Tokyo in having given out to the press anything about the conversation which he, the Ambassador, had with me on Monday concerning a possible protest, which conversation he understood to be confidential. He told me that he was going to write to Yoshizawa and protest against it. I told the Ambassador he need not feel any concern personally because it had not given me any serious embarrassment. I reminded him that I had told him in that conversation that we had not made any protest but were considering it. He said he remembered that perfectly. I said we were talking over the matter and looking into the question of the responsibility of the Japanese Government for damages that might occur under those circumstances and I explained that it was my view that, under international law, the Japanese Government would be responsible. I told the Ambassador that the only effect of the leak would be to perhaps make it necessary for me to protest a little more promptly than I had expected to.

The Ambassador then said that, not under instructions but for my information, his Government had authorized the Japanese Commander at Shanghai to deliver an ultimatum to the Chinese forces to withdraw a distance of twenty kilometers from the International Settlement; that he thought this ultimatum might be delivered either today or tomorrow and that, when delivered, it would give a warning that if it was not complied with the Japanese would use force to compel compliance after twenty-four hours had expired from the delivery of the warning. The Ambassador said further that if the Chinese withdrew without fighting the Japanese officers would inspect the ground from which they withdrew in order to ascertain whether their withdrawal had been complete and for the required distance and, in that case, they were willing that neutral officers should accompany them as observers. He said that the situation had grown very acute and that he himself was very much distressed at the situation. He explained his appreciation for the efforts that had been made by us and others to obtain a cessation of hostilities. I said that we had ten days ago tendered our good offices with the suggestion as to what we thought proper but it had not been accepted and since that time

we have been able to do nothing. The Ambassador said he understood that our local representatives and those of other Governments had been asserting themselves in the direction of peace. I said I did not know that; that we could not ask the Chinese to withdraw unless the Japanese also withdrew for we could not take sides with one against the other. I said I was very sad over the situation for I considered it very serious if they made this ultimatum and followed it out with force.

H[ENRY] L. S[TIMSON]

793.94/4311 : Telegram

The Minister in China (Johnson) to the Secretary of State

SHANGHAI, February 19, 1932—1 p. m.

[Received February 19—11:05 a. m.]

My telegram February 19, 1 p. m.²⁵ I have just called upon Japanese Minister in company with my British, French and Italian colleagues. All using similar wording but speaking each for himself we pointed out that there had been damage to foreign life and property within the Settlement area from shells. We pointed out that on several occasions protests had been made against the use of Settlement by Japanese forces as a base for attack on the Chinese. We stated that in view of the fact that negotiations between Japanese and Chinese had failed we were in the presence of even more serious conflict than hitherto. We stated that Japan could not avoid large measure of responsibility for the jeopardy to foreign life and property at Shanghai due to the hostilities thus brought about.

We expressed the hope that it might still be time to bring about cessation of hostilities even at this eleventh hour.

Japanese Minister stated that it had not been intention of the Japanese to cause destruction or damage to foreign life and property, that it had been their intention to protect Japanese life and property and to protect the Settlement from outside attack. They had been disappointed in this hope. He said that of course nothing could disappoint Japanese Government more than to know that the result of their actions here had been to cause damage to foreign life and property. In reply to our question as to the possibility of yet bringing about a cessation of hostilities, the Japanese Minister informed us that matters now rested with the Chinese authorities. It was our understanding that hostilities will begin 7 a. m. tomorrow unless the Chinese have withdrawn from the first line.

JOHNSON

²⁵ Not printed.

793.94/4343: Telegram

The Consul General at Shanghai (Cunningham) to the Secretary of State

SHANGHAI, February 21, 1932—11 a. m.

[Received February 21—5 a. m.]

92. My telegram No. 48, February 14, noon. Following reply dated February 19th from Japanese Consul General was received evening February 20th:

"As you are aware, the Japanese naval landing force in charge of the defense of the Japanese sectors was confronted with a huge Chinese army, and not only the lives and property of the Japanese residents but also the safety of the International Settlement itself faced an overwhelming menace. It was with a view to removing this imminent danger, and with no other ulterior motives, that the Japanese military reinforcements were despatched here. However, apart from any arguments that may or may not arise in connection with the disembarkation of the Japanese troops in the Settlement, the Japanese authorities, prompted by the desire to avoid any possible inconvenience to the International Settlement, landed as large a portion of the recent reinforcements outside the Settlement as circumstances permitted. Nor have they any intention to retain within the Settlement longer than necessary those troops which are now stationed there."

Repeated to the Legation, Nanking and Tokyo for information.

CUNNINGHAM

793.94/4457

Memorandum by the Under Secretary of State (Cable) of a Conversation With the Japanese Ambassador (Debruchi)

[WASHINGTON,] February 23, 1932.

The Ambassador said that he had a telegram from his Government asking him to inform the Department that reinforcements were being sent to Shanghai "for the protection of Japanese life and property." I told him that this was confirmation of what the papers had already said. He said that the Japanese were in very bad position in Shanghai and that it was necessary for them to get themselves out of this position, that they had supposed Chiang Kai-shek was more or less indifferent and that it had been a surprise to them to find his troops among the defenders. I said that it seemed to me quite natural that this should be the case, that possibly Chiang Kai-shek's indifference, as he called it, meant merely that he had to move very carefully as he hoped the dispute could be settled without

violence, that on the other hand after the Japanese had delivered an ultimatum which had been fully accepted and then, in spite of the acceptance, had proceeded to attack the Chinese,²⁶ Chiang Kai-shek might well have thought that there was no use any longer in temporizing. The Ambassador said that he did not see how the Japanese troops could get out at the present moment because the Chinese would kill Japanese residents remaining near Shanghai. I told him that I appreciated this, but that I, nevertheless, had no sympathy with it for the reason that when the Japanese had told the Chinese to retreat for 20 kilometers leaving that space as a neutral zone, the Chinese said they would do this on condition that the Japanese Army also moved away. I said this had given the Japanese an opportunity to get out and to clear up the situation which they had not taken and that now it was, of course, difficult to see how they could retreat. I told him, further, that the apparently indefensible actions of the Japanese in Shanghai seemed to me to be having the almost unbelievable effect of really uniting China, that China was being united against Japan and that the result of this would presumably last for a long time.

The Ambassador asked me what I thought the future would bring. I said, of course, that it depended largely on Japan's actions, that it seemed to me that this sending of new troops would probably have a very disastrous effect from Japan's point of view at the meeting of the Assembly of the League. The Ambassador said that he fully agreed to this. I said that I thought the League would declare that Japan was carrying on aggressive warfare and that they might then proceed to sanctions. He asked me whether in that case he was not right in thinking that, whether or not the Congress declared a boycott on Japan, it would not lead to a virtual boycott. I told him I thought he was undoubtedly right and I said also that the whole thing made me unhappy, liking Japan as I did, because it would mean a world united against Japan on account of the utterly unwarranted actions of its military and that the result would be to put Japan back for a generation in the progress which had been so encouraging and really inspiring. The Ambassador said that when I was in Tokyo I had used the phrase "that Japan was the stabilizing influence in the Far East," that he felt this to have been a happy phrase at the time and that we must look forward to the Japan of the future as still a stabilizing influence. I told him that I thoroughly believed that I was telling the truth at the time, that I hoped it might be so once

²⁶ See third report, dated February 20, 1932, of the Consular Committee appointed to report on events in Shanghai and the neighborhood, League of Nations, *Official Journal*, March, 1932, p. 381.

more in the future, but that at the present moment Japan was not only not the stabilizing influence, but was the most utterly disturbing influence. He said that the Shanghai incident was, he knew, an accident not in any way part of the plan of his Government, that the commanding officer of the Naval Forces had landed troops which had immediately got themselves into a bad position and had to be helped out. I said that, so far as I knew anything about it, I agreed with this, but that it seemed to me that one of the most tragic aspects of the whole miserable matter was that there was no strong government in Japan. I said that a government was hardly worth their name which could allow itself openly to be defied by the military, especially when this defiance was not apparently the action of the entire military, but merely of the younger officers. The Ambassador had nothing to say to this except that he could not refute a just observation.

As to the political situation, he said that, although the Seiyukai Party was full of die hards, he was nevertheless, glad that Seiyukai now had a real majority in the Diet. He was glad of this for the reason that while they did not have a majority they were trying to make all the trouble possible, that now, having a majority, they would feel the weight of responsibility and would probably be more reasonable. I told him that naturally I hoped this was the case, but that I thought reasonableness was not enough, that there ought to be also courage to oppose and punish those who were in the long run working against the best interests of Japan.

W. R. CASTLE, Jr.

793.94/4413a: Telegram

The Secretary of State to the Ambassador in Japan (Forbes)

[Paraphrase]

WASHINGTON, February 24, 1932—6 p. m.

62. 1. Sir John Simon ²⁷ has just informed me from Geneva that the British Ambassador at Tokyo has been instructed by him to make representations to the Japanese Foreign Office requesting the following: (1) That Japanese warships at Shanghai be moved from their present anchorage further down the river to a point where they will not draw the fire from the Chinese forces which will endanger the International Settlement and the vessels of other nations at anchor in the river; (2) in the event the sending of further reinforcements is being contemplated by the Japanese Government, arrangements will be made not to land its troops in the Settlement but at such points as

²⁷ British Secretary of State for Foreign Affairs.

will not draw fire from the Chinese to the danger of the Settlement or its residents or the vessels lying in the river which belong to other nations. I am further informed that the French and Italian Governments also have been requested by the British to make similar representations.

2. The Department authorizes and requests that in cooperation with the British Ambassador and the French and Italian Ambassadors you make representations of the same nature.

3. I should like to have these representations made in the form of a joint visit by you and at least the British Ambassador and if possible at the same time the French and Italian Ambassadors. It is my desire that you endeavor to persuade the other Ambassadors to leave with the Japanese Foreign Office written memoranda of their representations. A joint memorandum if you can agree on one would be so much the better. In the event this is impracticable, separate memoranda of similar import would have my approval. No matter what is decided upon, it is my desire that the representations which are made by you on behalf of the American Government be made a matter of record by leaving with the Japanese Foreign Office a written memorandum.

4. The reason I am requesting that your representations be left in a written memorandum is I believe that from now on it is most important that a written record of all important representations or protests be kept so that it may be available in connection with any issues which may arise hereafter where written evidence may be of importance or as a basis for any legal claims.

It is on the initiative of the British and other Governments that the foregoing proposals have been made. We do not wish to be placed in the position of having taken the initiative, although we are quite willing to cooperate.

STIMSON

793.94/4502

Memorandum by the Secretary of State

[WASHINGTON,] February 27, 1932.

The Japanese Ambassador came to my house at Woodley at 12:15. He told me, first, about troop movements. He had told Mr. Castle that one new division was being sent, but he now said that instead of sending the divisions one by one, they were sending two, the 11th and the 14th, so that they will have in all at Shanghai $3\frac{1}{2}$ divisions.

He told me that he was instructed by his Government to assure me that Japan had no intention to obtain any exclusive Japanese con-

cession at Shanghai; also that Japan appreciated the great step of civilization that had been made by the British, the Americans, the French, and the other nations in the creation of the International Settlement and desired to preserve that. He then spoke of the representations which had just been made by the foreign governments, and I explained to him that those had been made in order to remove the danger which was caused by the Japanese fleet lying immediately opposite the middle of the International Settlement, so that when it was fired at by the Chinese across the Settlement, the Settlement was likely to be injured, if shots fell short, and I pointed out that the same thing had happened when the Japanese were landing troops. He said that he appreciated that, and that he had word that the Japanese Government would do everything they could to avoid that danger. He did not, however, say specifically that they would remove the ship[s].

He said that all the Japanese were trying to do was to move the Chinese back 20 kilometers, and that they thought now that the Chinese morale was getting low and this could be done without much fighting. I told him that they might be mistaken in this as they had been before, and that the thing to do was to stop the blow rather than to trust that it would be a light blow. I told him that I believed that if the Japanese would stop their attack, the Chinese could be induced to withdraw a safe distance, which would be sufficient so as not to endanger the Settlement, and that in such case both faces could be saved. This point came up several times in the conversation, and I always repeated it, and he always said that he agreed with me that the thing to do was to stop the blow. But it was evident from his attitude that he knew that his Government was insisting upon going ahead to deliver the blow. I told him that I was not making any offer, but that if ever the Japanese Government wanted our good offices or assistance, they knew that they could have them. Our friendship for Japan remained. He said he knew that.

He then brought up the question of boycott and the movement started by President Lowell,²⁸ and he said that it was necessarily very dangerous and if persisted in might cause great irritation in Japan. I said that that movement had not been in any way encouraged by the Government; that I, myself, whenever people spoke to me about it, pointed out the danger of such a movement; but that he must recognize the fact that public opinion in this country had been greatly shocked by the action of the Japanese, and when people of the standing of Dr. Lowell, who was one of our foremost historians, and Mr. Baker²⁹ started such a movement, they had great influence and it meant that the country was greatly shocked.

²⁸ A. Lawrence Lowell, President of Harvard University, 1909-33.

²⁹ Newton D. Baker, Secretary of War, 1916-21.

*Communication Made by the President of the Council of the League of Nations at the Meeting of February 29, 1932, Setting Forth Certain Proposals for the Restoration of Peaceful Conditions in the Shanghai Area*⁸⁰

1. The imminence of hostilities on the largest scale in the Shanghai region between Chinese and Japanese forces, with the inevitable consequence of heavy loss of life and further embitterment of feeling, makes it at this critical moment the duty of all of us to lose no opportunity of seeking means by which this deplorable armed conflict between two Members of the League may be suspended and a way of peace may be found and followed. The news that we have received from the British representative that conversations actually took place yesterday at Shanghai with a view to making arrangements for a cessation of hostilities and that the proposed arrangements have been referred to the respective Governments is welcomed by us all, and the Council of the League is ready to make its contribution towards the consolidation of peaceful conditions in the way and at the time which is most useful.

2. The President has therefore called together his colleagues on the Council for the purpose of laying before them a proposal which might serve to this end. For its effective execution, this proposal will require, not only the acceptance of the Governments of China and Japan, but the co-operation on the spot of the other principal Powers who have special interests in the Shanghai Settlements, and whose representatives are therefore readily available to make the local contribution of their friendly aid, which is no less necessary than the positive and sincere agreement of the Chinese and Japanese authorities to the plan proposed.

3. This plan is as follows:

(1) A Conference to be immediately set up in Shanghai composed of representatives of the Governments of China and Japan, together with representatives of the other Powers above referred to, for the purpose of bringing about a final conclusion of fighting and the restoration of peaceful conditions in the Shanghai area.

(2) The Conference would be undertaken on the basis (a) that Japan has no political or territorial designs and no intention of establishing a Japanese settlement in Shanghai or of otherwise advancing the exclusive interests of the Japanese, and (b) that China enters the Conference on the basis that the safety and integrity of the International and French Settlements must be preserved under arrangements which will secure these areas and their residents from danger.

(3) The meeting of this Conference is, of course, subject to the making of local arrangements for a cessation of hostilities. The Council trusts that this will very speedily be brought about. It is proposed that the military, naval and civilian authorities of the other principal Powers represented in Shanghai will render all possible assistance in consolidating the arrangements.

⁸⁰ Reprinted from League of Nations, *Official Journal*, March, 1932, p. 917.

4. To this proposal, which is aimed at the immediate re-establishment of peace in the Shanghai area, without prejudice to, or qualification of, any position previously taken up by the League of Nations or any Power in relation to Sino-Japanese affairs, the President desires, in the name of himself and of his colleagues, to invite the adherence and co-operation both of China and Japan and of the other Powers referred to, whose local position enables them to make a special contribution to the common purpose of stopping armed conflict and restoring peace.

793.94/4493 : Telegram

The Minister in Switzerland (Wilson) to the Secretary of State

GENEVA, February 29, 1932—10 p. m.

[Received February 29—8:10 p. m.]

46. Following letter received from Drummond³¹ dated February 29th:

"I have the honor to transmit to you a copy of a communication made by the President of the Council to his colleagues³² setting out certain proposals which the Chinese and Japanese representatives have promised to submit immediately and to recommend to their governments with a view to bringing about the restoration of peaceful conditions in the Shanghai area.

May I be allowed to call your special attention to the request made in paragraphs 2 and 3 of the communication for the collaboration of the United States Government in the steps which the Council proposed in order to effect the above-mentioned aims?"

The text of the communication enclosed with Drummond's letter is being telegraphed by Gilbert in his 92, February 29, 7 p. m.³³

My reply to Drummond, which I read to you over the telephone, is as follows:

"In reply to your letter of today's date in which you inform me of the proposal made by the Council (which the Chinese and Japanese representatives have promised to transmit immediately to their respective Governments) concerning a conference for the restoration of peace within the Shanghai area, and the negotiations now going on toward the immediate cessation of hostilities in that zone, I have to inform you that the Government of the United States is happy to associate itself with this effort for the reestablishment of peace.

My Government will instruct its representatives in Shanghai, in the event that this offer is acceptable to the Chinese and Japanese Governments, to cooperate with the representatives of the other powers."

Drummond gave immediate publicity to this exchange of letters.

WILSON

³¹ Sir Eric Drummond, Secretary General of the League of Nations.

³² *Supra*.

³³ Not printed.

703.94/4494 : Telegram

The Ambassador in Japan (Forbes) to the Secretary of State

TOKYO, March 1, 1932—1 p. m.
[Received March 1—1:38 a. m.]

84. On February 26 I delivered a memorandum to the Minister for Foreign Affairs in accordance with the Department's instructions³⁴ requesting that the Japanese move their men-of-war to a point which would not be likely to draw fire from the Chinese to the danger of the Settlement and I am now in receipt of a reply reading in translation as follows:

"The Minister for Foreign Affairs presents his compliments to the American Ambassador and has the honor to acknowledge the receipt of the Ambassador's memorandum dated February 26, 1932. In this memorandum the American Ambassador by direction of his Government expresses the desire that the landing of Japanese reinforcements at Shanghai be carried out at such points outside of the Settlement as will not draw fire from the Chinese troops to the danger of foreigners resident in the Settlement or the ships of other nationals and that the Japanese men-of-war at Shanghai be moved from their present position to a position down the river to prevent the danger of fire from the Chinese troops.

In reply the Minister for Foreign Affairs has the honor to state that although the Japanese Government has the right to land troops at the International Settlement and to anchor warships at the present position, it desires most earnestly to prevent as far as possible any danger to the Settlement or to foreigners and has transmitted the message of the American Government to the authorities of the Army and Navy, who will give as favorable consideration to this matter as possible."

FORBES

793.94/4580

Memorandum by the Secretary of State

[WASHINGTON,] March 3, 1932.

The Japanese Ambassador came in to give me an announcement of the cessation of hostilities, and he handed me the copy which is annexed. He then handed me a set of the basic conditions of the immediate cessation of hostilities, which is also annexed. He did not make it clear what these represented or who they came from. He said that the Japanese army occupied the line as follows: Kasing, Naziang, Chenju, and that the Woosung Forts were captured at 8:10 a. m. March 3rd. He then said that his Government was very anxious that we should participate in the round table conference mentioned in the basic provision above-mentioned to arrange the details of the truce; that as soon as these were arranged the Japanese army would

withdraw. He also said something about a neutral zone around Shanghai.

I then took up the situation and I pointed out that on February 29 the League of Nations, on the request of Japan, had suggested a proposal for the immediate cessation of hostilities and the various steps, including a conference; that this was immediately accepted personally by the Japanese representative, Sato, on February 29, subject to the approval of his Government, and that the approval of the Government was given on March 1 (see No. 95 from Geneva³⁵). The Japanese Ambassador agreed to each of these dates. I said that this having been done, I was greatly shocked and I thought a great many other people were shocked by the fact that after this proposal for immediate cessation of hostilities had been made and accepted, Japan had made the largest attack of the entire Shanghai operation on March 2 and 3, in which a great many Chinese and Japanese had lost their lives. I told the Ambassador that was not the way that we ceased hostilities in the Great War, when, so far as I knew, there was not a shot fired after 11 o'clock on November 11, the time that we agreed to cease. The Ambassador was much embarrassed.

He said first that the Chinese had not accepted the immediate cessation of hostilities at the time of Admiral Kelly's meeting. I replied that this was contrary to my understanding; that my understanding had been that the Chinese Government had accepted the proposal for cessation of hostilities even before the Japanese had accepted. He then said that it was very hard to stop troops when they were in combat. I referred to the situation in the Great War where it was stopped.

The Ambassador said that when he came in he hoped that I would be pleased by his announcement of the cessation now of hostilities and the firing of guns. I told him that I was glad that the guns had stopped firing, but I begged him to remember that so far as our nationals had been concerned, they had not been in any danger at all until the Japanese troops came to Shanghai on January 29 and got into a fight with the Chinese forces on Chinese territory. I said that I did not enter into the question of the safety of Japanese nationals; that was a matter which I did not profess to know, but I did know that our nationals had been perfectly safe until the Japanese had come here as aforesaid and got into a fight with the Chinese army. The Ambassador was very much agitated and said he hoped that we would join the round table conference because the success would be

³⁵ Dated March 3; not printed. It transmitted the Japanese acceptance, dated March 1, of the proposals made by the President of the Council on February 29, and a communication, dated March 2, from the President of the Council to Sato in response to the foregoing. For texts, see League of Nations, *Official Journal*, March, 1932, p. 928.

impossible without the presence of America. I pointed out that I could not allow my Government to be drawn into a position where we might be thought to be seeking extensions of foreign rights at the expense of China; that we did not claim any such extensions and we would not participate in negotiations which might result in getting them; but that I would consider the question of our participation and decide that later. I said that the situation had, however, entirely changed in my opinion since our original proposal.

H[ENRY] L. S[TIMSON]

[Annex 1]

Japanese Declaration of Cessation of Hostilities

The Imperial Japanese land forces since their arrival in Shanghai and its vicinity had, in conjunction with the Imperial Naval forces, made every effort to achieve the object of protecting Japanese residents by peaceful means. However, proposals based on such a desire were not, to their regret, acceded to by the nineteenth route army of China and at last hostilities were started.

Chinese forces have now retreated to positions beyond the distance originally requested by the Imperial forces, and signs are seen of peace, of the Shanghai settlements being recovered and safety of Japanese residents being reassured.

I have therefore decided to order the forces to halt for the time being at points actually held and to stop fighting, provided, that the Chinese forces will not resort to further hostile actions.

GENERAL YOSHINORI SHIRAKAWA
Chief of Imperial Japanese Land Forces

SHANGHAI, March 3, 1932.

[Annex 2]

Basic Conditions of the Immediate Cessation of Hostilities

1. Should China give assurances for the withdrawal of her troops to a certain distance from Shanghai (distance to be determined by the Japanese and Chinese authorities), Japan will agree to the cessation of hostilities for a certain period (to be agreed upon between Japanese and Chinese authorities), and pending subsequent arrangements the Japanese and Chinese forces shall hold their respective positions. Details relating to the cessation of hostilities shall be arranged by the Japanese and Chinese military authorities.

2. During the period of the cessation of hostilities, a round-table conference between Japan and China shall be held at Shanghai, in which representatives of the principal powers interested shall par-

ticipate, and the conference shall discuss, with a view to reaching an agreement upon, methods for the withdrawal of both the Chinese and Japanese forces on such terms as are set out in the following paragraph, together with measures for the restoration and maintenance of peace and order in and around Shanghai and for safeguarding the International Settlement and French Concession in Shanghai and foreign lives, property and interests therein.

3. The withdrawal of troops shall be commenced by the Chinese troops (including plain-clothes gunmen) to a specified distance, and upon ascertaining the withdrawal of the Chinese forces, the Japanese forces will withdraw to the Shanghai and Woosung areas. As soon as normal conditions prevail, the Japanese army shall be withdrawn from these areas.

4. Should either of the parties infringe any of the terms on the cessation of hostilities, the other party shall have freedom of action. Both parties shall have the same freedom of action upon the expiration of the period agreed upon under paragraph I.

793.95/4589b : Telegram

*The Secretary of State to the Consul General at Shanghai
(Cunningham)*

[Paraphrase]

WASHINGTON, March 3, 1932—5 p. m.

71. To the Minister: Department's 60 of February 29, 4 p. m.; 65 of March 1, 11 p. m.; and 66 of March 1, 12 p. m.³⁶ With regard to the round-table conferences which under the recent suggestion of the League of Nations are now in prospect. Until you receive further instructions, I do not wish to have either you or any civil or military representative of this Government participate in them. In my opinion, the situation has been obscured by the fact that the Japanese have carried through a major offensive after having initiated this movement for a conference and having accepted the proposals of the Council of the League. Consequently, until I am more clear as to what will be proposed there I do not wish to participate in the conference. I do not desire, as I have indicated in my previous instructions referred to above, to be drawn into proposals which will appear unfair to China or as an endorsement of Japan's position.

STIMSON

³⁶ None printed.

793.94/4589d : Telegram

The Secretary of State to the Consul General at Shanghai
(Cunningham)

WASHINGTON, March 5, 1932—9 p. m.

77. For the Minister: My 71, March 3, 5 p. m.

1. I am informed from Geneva that a meeting of the Plenary Assembly has passed unanimously (including both parties to the dispute) the following resolution:

"The Assembly recalling the suggestions made by the Council on the 29th February and without prejudice to the other measures therein envisaged;

1. Calls upon the Governments of China and Japan to take immediately the necessary measures to ensure that the orders which, as it has been informed, have been issued by the military commanders on both sides for the cessation of hostilities, shall be made effective;

2. Requests the other powers which have special interests in the Shanghai Settlements to inform the Assembly of the manner in which the invitation set out in the previous paragraph has been executed;

3. Recommends that negotiations be entered into by the Chinese and Japanese representatives with the assistance of the military, naval and civilian authorities of the powers mentioned above for the conclusion of arrangements which shall render definite the cessation of hostilities and regulate the withdrawal of the Japanese forces. The Assembly will be glad to be kept informed by the powers mentioned above of the development of these negotiations."

[Paraphrase.] I am informed further by Wilson that it is morally certain that action along the line already taken by this Government in the January 7th [8th] note³⁷ will be taken by the Assembly. [End paraphrase.]

2. I understand that the proposed conference is to be based on the following principles: (a) China freely consents to such a conference; (b) the discussions of the conference are to be limited to the question of terminating hostilities, evacuating military forces and immediate reestablishment of peace in the Shanghai area. My understanding is that Japan has agreed to the provisions reported in the Department's No. 66 of March 1, 12 p. m. to Shanghai,³⁸ including the restriction that "Japan has no political or territorial designs and no intention of establishing a Japanese settlement in Shanghai or of otherwise advancing the exclusive interests of the Japanese"; and that the whole proposal is aimed at the immediate reestablishment of peace in the Shanghai area without prejudice to or qualification of any position previously taken by the League or any Power in relation to Sino-Japanese affairs and that the cooperation of the Powers is invoked

³⁷ See telegram No. 7, Jan. 7, 1932, to the Ambassador in Japan, p. 76.

³⁸ Not printed.

and is forthcoming for the common purpose of stopping armed conflict and restoring peace. [Paraphrase.] This means, in my opinion, that any proposals which may go outside the limits of those provisions are not to be given consideration. In my opinion, this applies also to any attempt to effect permanent changes in the International Settlement boundaries or to bring about at China's expense any other changes which other powers, motivated by self-interest, may be advancing individually or collectively.

3. Recapitulating, the American Government in approving this plan has taken the position, and in conferences at Geneva between Wilson and leaders of the Assembly reaffirmed it, that discussion at the proposed conference should be restricted to questions relating to the liquidation of the military situation at Shanghai and no question should be taken up which relates to changes of a permanent character. To be specific, any question relating to the subject of a pacific boycott should not be brought up without China's consent at any conference in which we participate. If the Japanese wish to take up any subjects of that nature, it is my view that they must raise them at a subsequent conference dealing with the entire controversy between Japan and China, including the Manchurian problem, and at a time when the settlement of such controversies can take place minus the pressure of Japanese military occupation.

4. Provided it is clear that the conference is to be conducted according to the principles and provisions outlined above, you and military and naval authorities of the United States are authorized by me to participate. [End paraphrase.]

STIMSON

*Resolution Adopted by the Assembly of the League of Nations on
March 11, 1932*³⁹

I

The Assembly,

Considering that the provisions of the Covenant are entirely applicable to the present dispute, more particularly as regards:

- (1) The principle of a scrupulous respect for treaties;
- (2) The undertaking entered into by Members of the League of Nations to respect and preserve as against external aggression the territorial integrity and existing political independence of all the Members of the League;
- (3) Their obligation to submit any dispute which may arise between them to procedures for peaceful settlement;

³⁹ Reprinted from League of Nations, *Official Journal*, Special Supplement No. 101 (Geneva, 1932), p. 87.

Adopting the principles laid down by the acting President of the Council, M. Briand, in his declaration of December 10th [9th], 1931;⁴⁰

Recalling the fact that twelve Members of the Council again invoked those principles in their appeal to the Japanese Government on February 16th, 1932,⁴¹ when they declared "that no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of Article 10 of the Covenant ought to be recognised as valid and effectual by Members of the League of Nations";

Considering that the principles governing international relations and the peaceful settlement of disputes between Members of the League above referred to are in full harmony with the Pact of Paris, which is one of the cornerstones of the peace organisation of the world and under Article 2 of which "the High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature and whatever origin they may be, which may arise among them shall never be sought except by pacific means";

Pending the steps which it may ultimately take for the settlement of the dispute which has been referred to it;

Proclaims the binding nature of the principles and provisions referred to above and declares that it is incumbent upon the Members of the League of Nations not to recognise any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

II

The Assembly,

Affirming that it is contrary to the spirit of the Covenant that the settlement of the Sino-Japanese dispute should be sought under the stress of military pressure on the part of either Party;

Recalls the resolutions adopted by the Council on September 30th⁴² and on December 10th, 1931,⁴³ in agreement with the Parties;

Recalls also its own resolution of March 4th, 1932,⁴⁴ adopted in agreement with the Parties, with a view to the definitive cessation of hostilities and the withdrawal of the Japanese forces; notes that the Powers Members of the League of Nations having special interests in the Shanghai Settlements are prepared to give every assistance to this end, and requests those Powers, if necessary, to co-operate in maintaining order in the evacuated zone.

⁴⁰ League of Nations, *Official Journal*, December, 1931, p. 2375.

⁴¹ *Ibid.*, March, 1932, p. 383.

⁴² *Ante*, p. 13.

⁴³ *Ante*, p. 59.

⁴⁴ See telegram No. 77, Mar. 5, 1932, to the Consul General at Shanghai, p. 209.

III

The Assembly,

In view of the request formulated on January 29th by the Chinese Government ⁴⁵ invoking the application to the dispute of the procedure provided for in Article 15 of the Covenant of the League of Nations;

In view of the request formulated on February 12th ⁴⁶ by the Chinese Government that the dispute should be referred to the Assembly in conformity with Article 15, paragraph 9, of the Covenant and in view of the Council's decision of February 19th; ⁴⁷

Considering that the whole of the dispute which forms the subject of the Chinese Government's request is referred to it and that it is under an obligation to apply the procedure of conciliation provided for in paragraph 3 of Article 15 of the Covenant and, if necessary, the procedure in regard to recommendations provided for in paragraph 4 of the same article;

Decides to set up a Committee of nineteen members—namely, the President of the Assembly, who will act as Chairman of the Committee, the Members of the Council other than the Parties to the dispute and six other Members to be elected by secret ballot.

This Committee, exercising its functions on behalf of and under the supervision of the Assembly, shall be instructed;

(1) To report as soon as possible on the cessation of hostilities and the conclusion of arrangements which shall render definitive the said cessation and shall regulate the withdrawal of the Japanese forces in conformity with the Assembly resolution of March 4th, 1932;

(2) To follow the execution of the resolutions adopted by the Council on September 30th and December 10th, 1931;

(3) To endeavour to prepare the settlement of the dispute in agreement with the Parties, in accordance with Article 15, paragraph 3, of the Covenant, and to submit a statement to the Assembly;

(4) To propose, if necessary, that the Assembly submit to the Permanent Court of International Justice a request for an advisory opinion;

(5) To prepare, if need be, the draft of the report provided for in Article 15, paragraph 4, of the Covenant;

(6) To propose any urgent measure which may appear necessary;

(7) To submit a first progress report to the Assembly as soon as possible and at latest on May 1st, 1932.

The Assembly requests the Council to communicate to the Committee, together with any observations it may have to make, any documentation that it may think fit to transmit to the Assembly.

The Assembly shall remain in session and its President may convene it as soon as he may deem this necessary.

⁴⁵ League of Nations, *Official Journal*, March, 1932, p. 335.

⁴⁶ *Ibid.*, p. 386.

⁴⁷ *Ibid.*, p. 371.

03.94/4704 : Telegram

The Secretary of State to the Minister in Switzerland (Wilson)

WASHINGTON, March 12, 1932—2 p. m.

46. Your 73, March 11, 8 p. m.⁴⁸

1. You may communicate to Drummond the following:

"I acknowledge the receipt of your letter of March 11 enclosing for the information of the American Government the text of a resolution relative to the Sino-Japanese dispute which was adopted this afternoon by the Assembly of the League of Nations.

I am instructed by my Government to express to you its gratification at the action taken by the Assembly of the League of Nations. My Government is especially gratified that the nations of the world are united on a policy not to recognize the validity of results attained in violation of the treaties in question. This is a distinct contribution to international law and offers a constructive basis for peace.

You suggest that I note particularly part 2 of the resolution. In this, the Assembly recalls several resolutions and cites especially its own resolution of March 4, 1932 adopted in agreement with the parties with a view to the definitive cessation of hostilities and the withdrawal of the Japanese forces. My Government, as one of the powers which have special interests in the Shanghai Settlement, has already authorized its representatives at Shanghai to assist, in cooperation with the representatives of other powers similarly situated, toward the consummation of those objectives."

STIMSON

03.94/4779b : Telegram

*The Secretary of State to the Consul General at Shanghai
(Cunningham)*

WASHINGTON, March 12, 1932.

97. For the Consul General and the Minister. In comment on the action taken by the Assembly of the League of Nations on March 11, 1932, a statement was made to the press by the Secretary of State, text as follows:

"The nations of the League at Geneva have united in a common attitude and purpose towards the perilous disturbances in the Far East. The action of the Assembly expresses the purpose for peace which is found both in the Pact of Paris and the Covenant of the League of Nations. In this expression all the nations of the world can speak with the same voice. This action will go far toward developing into terms of international law the principles of order and justice which underlie those treaties and the Government of the United States has been glad to cooperate earnestly in this effort."

STIMSON

⁴⁸ Not printed.

793.94/4806

Memorandum by the Secretary of State

[WASHINGTON,] March 15, 1932.

The Japanese Ambassador said he came to tell me that his Government was withdrawing the Twenty-fourth Mixed Brigade, which was half of the Twelfth Division, and the Eleventh Division; that the Twelfth Division was part of the first landing force sent by Japan, and the Eleventh Division was part of the later reinforcements. I then asked the Ambassador what he had heard about the meeting of the Conference in Shanghai, and he reported that he had heard that they met on the fourteenth, and gave me an account of the meeting and of the matters discussed, which corresponded substantially with the information I had heard already from Minister Johnson. The Ambassador said he understood that China was insisting on not discussing matters which were questions of policy apart from the evacuation, but that he was glad to hear that they had been willing to discuss the ratification of Mayor Wu's promise of January twenty-eighth. I told the Ambassador that I understood that this meeting was to be confined to the liquidation of the military situation and that I realized that, while it should not take up matters of policy not connected with the Shanghai incident, it was quite proper and necessary that it should take up questions of the violence which had been directly concerned with the military incident. He said he understood my position. The Ambassador said that he hoped that some way would be found to take care of the territory evacuated by the Japanese Army; that he had heard that at first the Chinese representatives had refused to promise that the Chinese Army would not immediately advance into that territory but that later they had agreed to stand still temporarily. I said I had heard the same thing. The Ambassador asked me whether I had any ideas as to what should be done for policing that zone eventually. I told him that I recognized that it was a problem produced by the situation and that some solution must be found for it, but I had none to suggest and was leaving the suggestions to the people who were on the ground and were familiar with it. I reminded him that I had always contended with him that it would be to the advantage of both Japan and China to have neutral observers present in these discussions and that this seemed to be borne out by the success of this first meeting. The Ambassador laughed and said he remembered it and that now that we had so many neutrals present it ought to be successful. I told him that, although I had no close knowledge of the situation, it seemed to me that one of the great difficulties of the evacuated zone was that China did not have an adequate police force to take care of it; that

even if the neutral powers should police it for awhile with military forces, that could only be temporary, and that the only suggestion which had come to me in my experience was the training of a Chinese constabulary under foreign instructors. I told the Ambassador of my experience in Nicaragua; that we had trained up a very efficient constabulary for the Nicaraguan Government, and that immediately after the election in Nicaragua next November we were going to withdraw our instructors and leave Nicaragua a very good force. Possibly something like that could be done in China, but I had not suggested it to the negotiators. The Ambassador said that was very interesting and that as I had had so much experience with that sort of a situation, both in Nicaragua and in the Philippines, he hoped I would make the suggestion some time.

The Ambassador then told me that he was instructed to say that his Government was going very slowly about the recognition of the new State of Manchuria and that it would be a long time before they decided. In reply, I took up a copy of the Nine-Power Treaty and asked the Ambassador to read Article 2, which he did. I told him that I was of the opinion that that Article forbade us from recognizing the new State of Manchuria and I suggested that he bring that Article to the attention of his Government as it appeared to be equally binding upon Japan.

H[ENRY] L. S[TIMSON]

93.04/5091

Memorandum by the Under Secretary of State (Castle) of a Conversation With the Japanese Ambassador (Debuchi)

[WASHINGTON,] April 21, 1932.

The Ambassador said that he had not very much to report, but that he wanted to speak of the action of the Assembly of the League in connection with the Shanghai affair.

He said the negotiations with the Chinese were going on well enough in Shanghai under the guidance of the four powers; that his Government had accepted the proposal of Sir Miles Lampson,⁴⁹ which he understood had been concurred in by Mr. Johnson, that Japanese withdrawal should take place as soon as conditions permitted, it was hoped within six months; instead of playing the game with the four neutrals the Chinese referred the matter to the Assembly of the League of Nations.⁵⁰ The Ambassador said that he felt that the great

⁴⁹ British Minister in China.

⁵⁰ See first progress report submitted by the special committee in accordance with the terms of the resolution adopted by the Assembly on March 11, 1932, League of Nations, *Official Journal*, Special Supplement No. 101, p. 96.

powers had more or less sympathy with Japan, an assertion which I promptly denied, and a far greater understanding of the situation in Shanghai, but that the little powers on the League had run away with the whole matter. He said that article 11 of the agreement worked out by the committee of nineteen, that Japan should withdraw its troops when notified by the neutral commission in Shanghai that the time was right for withdrawal would be entirely unsatisfactory to his Government. He said that, in the first place, this notification did not apparently have to be unanimous and that his Government would not wish to be bound by any majority rule in a matter of this kind. He said, furthermore, that the withdrawal of Japanese troops could not be at the request of any commission, since under the Japanese Constitution troop movements were solely dictated by the Emperor. I told him that this was merely quibbling, since it stood to reason that the commission could not order the withdrawal of troops, but that it equally stood to reason that, if the Japanese Government agreed that the troops might be withdrawn when notification was given by the commission that they could be safely withdrawn, it was perfectly simple for the military authorities to ask the Emperor to bring about the withdrawal. It was perfectly obvious that the principal trouble in Japan was the feeling that in Geneva Japan was being dictated to by the small nations—he particularly mentioned Switzerland and Sweden, which countries he said knew little about the Chinese situation. I told him that, of course, these nations were acting for themselves in that they did not wish a precedent to be created whereby a strong power could, with impunity, invade other countries and then withdraw only when and how it pleased. The Ambassador said that if the small powers were able to put across their ideas Japan would undoubtedly not withdraw from the League of Nations, but would withdraw its delegates from the meetings of the Assembly, this, of course, as a protest. He admitted, however, that there was strong feeling in Japan that it would be better to get out of the League altogether.

As to the general situation in Japan, the Ambassador seemed to feel that it was slightly but very slowly improving. He admitted that the military was still in the saddle and that the course of the military was unpredictable. He spoke of the Russian concentration north of the Manchurian border and said there was no doubt that this concentration was being planned. On the other hand, he did not seem to feel that this constituted any serious danger as he said the Soviet had not made any definite protest to Japan within the last two months. He admitted, however, that the concentration was probably due to irritation at the Japanese advance into northern Manchuria.

W. R. CASTLE, Jr.

93.04/5625

*Agreement Concerning the Definitive Cessation of Hostilities at
Shanghai, Concluded on May 5, 1932*

ARTICLE I

The Japanese and Chinese authorities having already ordered the cease fire, it is agreed that the cessation of hostilities is rendered definite as from May 5th, 1932. The forces of the two sides will so far as lies in their control cease around Shanghai all and every form of hostile act. In the event of doubts arising in regard to the cessation of hostilities, the situation in this respect will be ascertained by the representatives of the participating friendly Powers.

ARTICLE II

The Chinese troops will remain in their present positions pending later arrangements upon the re-establishment of normal conditions in the areas dealt with by this Agreement. The aforesaid positions are indicated in Annex I to this Agreement.

ARTICLE III

The Japanese troops will withdraw to the International Settlement and the extra-Settlement roads in the Hongkew district as before the incident of January 28th, 1932. It is, however, understood that, in view of the numbers of Japanese troops to be accommodated, some will have to be temporarily stationed in localities adjacent to the above mentioned areas. The aforesaid localities are indicated in Annex II to this Agreement.

ARTICLE IV

A Joint Commission, including members representing the participating friendly Powers, will be established to certify the mutual withdrawal. This Commission will also collaborate in arranging for the transfer from the evacuating Japanese forces to the incoming Chinese police, who will take over as soon as the Japanese forces withdraw. The constitution and procedure of this Commission will be as defined in Annex III to this Agreement.

ARTICLE V

The present Agreement shall come into force on the day of signature hereof.

The present Agreement is made in the Chinese and Japanese and English languages. In the event of there being any doubts as to the

meaning of any differences of meaning between the Chinese and Japanese and English texts, the English text shall be authoritative.

Done at Shanghai, this fifth day of May, nineteen hundred and thirty two.

QUO TAI-CHI

Vice-Minister for Foreign Affairs.

TAI-CHI

Lieutenant-General.

HWANG CHIANG

Lieutenant-General.

K. UYEDA

Lieutenant-General.

M. SHIGEMITSU

*Envoy Extraordinary and
Minister Plenipotentiary.*

S. SHIMADA

Rear-Admiral.

K. TASHIRO

Major-General.

In the presence of:

MILES W. LAMPSON

*His Britannic Majesty's Minister
in China.*

NELSON TRUSLER JOHNSON

American Minister in China.

WILDEN

Ministre de France en Chine.

GALEAZZO CIANO

*Chargé d'Affaires for Italy
in China.*

Representatives of the friendly Powers assisting in the negotiations in accordance with the Resolution of the Assembly of the League of Nations of March 4th, 1932.

ANNEX I

The following are the positions of the Chinese troops as provided in Article II of this Agreement.

Reference the attached Postal Map of the Shanghai District scale 1/150,000.⁵¹

⁵¹ Map not attached to original in files.

From a point on the Soochow Creek due south of Anting village north along the west bank of a creek immediately east of Anting village to Wang-hsien-ch'iao, thence north across a creek to a point four kilometres east of Shatow, and thence north-west up to and including Lu-pei-k'ou on the Yangtze River.

In the event of doubts arising in regard thereto, the positions in question will, upon the request of the Joint Commission, be ascertained by the representatives of the participating friendly Powers, members of the Joint Commission.

ANNEX II

The following are the localities as provided in Article III of this Agreement.

The aforesaid localities are outlined on the attached maps marked A, B, C. and D.⁵² They are referred to as areas 1, 2, 3 and 4.

Area 1 is shown on Map "A". It is agreed (i) that this area excludes Woosung Village; (ii) that the Japanese will not interfere with the operation of the Shanghai-Woosung Railway or its workshops.

Area 2 is shown on Map "B". It is agreed that the Chinese cemetery about one mile more or less to the Northeast of the International race track is excluded from the area to be used by the Japanese troops.

Area 3 is shown on Map "C". It is agreed that this area excludes the Chinese village Ts'ao Chia Chai and the Sanyu Cloth Factory.

Area 4 is shown on Map "D". It is agreed that the area to be used excludes the Japanese cemetery and eastward approaches thereto.

In the event of doubts arising in regard thereto, the localities in question will, upon the request of the Joint Commission, be ascertained by the representatives of the participating friendly Powers, members of the Joint Commission.

The withdrawal of the Japanese troops to the localities indicated above will be commenced within one week of the coming into force of the Agreement and will be completed in four weeks from the commencement of the withdrawal.

The Joint Commission to be established under Article IV will make any necessary arrangements for the care and subsequent evacuation of any invalids or injured animals that cannot be withdrawn at the time of the evacuation. These may be detained at their positions together with the necessary medical personnel. The Chinese authorities will give protection to the above.

ANNEX III

The Joint Commission will be composed of 12 members, namely one civilian and one military representative of each of the following: the

⁵² Maps not attached to original in files.

Chinese and Japanese Governments, and the American, British, French and Italian Heads of Mission in China, being the representatives of the friendly Powers assisting in the negotiations in accordance with the Resolution of the Assembly of the League of Nations of March 4th. The members of the Joint Commission will employ such numbers of assistants as they may from time to time find necessary in accordance with the decisions of the Commission. All matters of procedure will be left to the discretion of the Commission, whose decisions will be taken by majority vote, the Chairman having a casting vote. The Chairman will be elected by the Commission from amongst the members representing the participating friendly Powers.

The Commission will in accordance with its decisions watch in such manner as it deems best the carrying out of Articles 1, 2 and 3 of this Agreement, and is authorised to call attention to any neglect in the carrying out of the provisions of any of the three Articles mentioned above.

URTHER JAPANESE POLITICAL AND ECONOMIC
PENETRATION INTO CHINA, 1934-1936

FURTHER JAPANESE POLITICAL AND ECONOMIC
PENETRATION INTO CHINA, 1934-1936

94/6648

The Ambassador in Japan (Grew) to the Secretary of State

[Extract]

. 751

Tokyo, April 20, 1934.

[Received May 5.]

SIR: I have the honor to refer to my telegram No. 71 of April 18, 6 p. m., and to the Department's telegram No. 51 of April 18, 6 p. m.,¹ regarding the statement issued by the Foreign Office defining Japanese policy toward the rendering of assistance to China by other countries, and to enclose herewith a copy of the English translation of the statement, issued by the Bureau of Information and Intelligence of the Foreign Office. It will be observed that this translation does not differ in any essential respect from the translation cabled to the New York *Herald Tribune* by its correspondent in Tokyo. The translation issued by the Foreign Office is labelled as "An English translation officially issued by the Foreign Office of the unofficial statement issued by the Foreign Office on April 17".

The story of the statement, as far as the Embassy can ascertain, is as follows: On the afternoon of Tuesday, April 17th, some newspaper correspondents questioned Mr. Amau, the Chief of the Bureau of Information and Intelligence of the Foreign Office, regarding the reported opposition of the Japanese Government to assistance from other countries to China. Mr. Amau went to his files and produced a document in Japanese which appeared to one of the correspondents (Mr. Babb, of the Associated Press) to be in the form of an instruction addressed to the Japanese Minister in China. Mr. Amau then made, orally, a rough translation of the document into English. He stated that his translation was unofficial, but that the document had received the approval of the Minister for Foreign Affairs. Later that evening, he issued to the Japanese press a statement in Japanese, labelled "unofficial", which was translated and cabled to various newspapers by correspondents in Tokyo. As reported in my telegram No. 71, the Tokyo correspondent of the New York *Herald Tribune* obtained a complete translation of the statement to his newspaper. On the morning of Wednesday, April 18th, in reply to questioning by

the correspondents, Mr. Amau elaborated somewhat on the subject and observed that the statement issued the night before "could be considered as official", and that a summary would be sent to Japanese diplomatic officers to be conveyed to the governments to which they are accredited "if necessary". He then promised the correspondents a translation into English of the statement, as translations of Japanese into English may easily differ considerably and thereby convey a wrong impression. On the morning of the 19th the translation was issued, but, as stated above, as "an English translation unofficially issued by the Foreign Office of the unofficial statement . . ."

Respectfully yours,

JOSEPH C. GREW

[Enclosure]

Unofficial Statement by the Japanese Foreign Office, April 17, 1934

The following is an English translation unofficially issued by the Japanese Foreign Office of the unofficial statement issued by the Foreign Office on April 17, 1934, known as the "Amau Statement":

Owing to the special position of Japan in her relations with China, her views and attitude respecting matters that concern China, may not agree in every point with those of foreign nations: but it must be realized that Japan is called upon to exert the utmost effort in carrying out her mission and in fulfilling her special responsibilities in East Asia.

Japan has been compelled to withdraw from the League of Nations because of their failure to agree in their opinions on the fundamental principles of preserving peace in East Asia. Although Japan's attitude toward China may at times differ from that of foreign countries, such difference cannot be evaded, owing to Japan's position and mission.

It goes without saying that Japan at all times is endeavoring to maintain and promote her friendly relations with foreign nations, but at the same time we consider it only natural that, to keep peace and order in East Asia, we must even act alone on our own responsibility and it is our duty to perform it. At the same time, there is no country but China which is in a position to share with Japan the responsibility for the maintenance of peace in East Asia. Accordingly, unification of China, preservation of her territorial integrity, as well as restoration of order in that country, are most ardently desired by Japan. History shows that these can be attained through no other means than the awakening and the voluntary efforts of China herself. We oppose therefore any attempt on the part of China to avail herself of the influence of any other country in order to resist

Japan: We also oppose any action taken by China, calculated to play one power against another. Any joint operations undertaken by foreign powers even in the name of technical or financial assistance at this particular moment after the Manchurian and Shanghai Incidents are bound to acquire political significance. Undertakings of such nature, if carried through to the end, must give rise to complications that might eventually necessitate discussion of problems like fixing spheres of influence or even international control or division of China, which would be the greatest possible misfortune for China and at the same time would have the most serious repercussion upon Japan and East Asia. Japan therefore must object to such undertakings as a matter of principle, although she will not find it necessary to interfere with any foreign country negotiating individually with China on questions of finance or trade, as long as such negotiations benefit China and are not detrimental to the maintenance of peace in East Asia.

However, supplying China with war planes, building aerodromes in China and detailing military instructors or military advisers to China or contracting a loan to provide funds for political uses, would obviously tend to alienate the friendly relations between Japan and China and other countries and to disturb peace and order in East Asia. Japan will oppose such projects.

The foregoing attitude of Japan should be clear from the policies she has pursued in the past. But, on account of the fact that positive movements for joint action in China by foreign powers under one pretext or another are reported to be on foot, it is deemed not inappropriate to reiterate her policy at this time.

93.94/6604

Memorandum by the Under Secretary of State (Phillips)

[WASHINGTON,] April 24, 1934.

I asked the Japanese Ambassador to call this afternoon at 4:15 which he did. I said that I felt the need of knowing precisely what Mr. Amau had said in his recent public declaration since, while the substance of the various translations were substantially alike, nevertheless there were slight differences in context, and that I felt sure that by this time the Embassy had received the text and would be in a position to let me have a correct translation. Thereupon the Ambassador took out a sheet of telegrams in Japanese from which he read extracts. One telegram which he read to me rather naively referred to the fact that the Foreign Office had understood that some of the American papers had not received the Amau interview favor-

ably, and the Foreign Office would like him to advise it which papers had held such views. It appeared that possibly a few days before the eighth of April the Foreign Office had sent certain instructions to the Japanese Minister in Nanking which outlined the position of Japan vis-à-vis China. Some days afterwards at a press conference in Tokyo Mr. Amau was asked a number of questions which he attempted to answer orally and in framing his answers he merely had in mind the communication which had already been forwarded to the Japanese Minister in Nanking. The Ambassador felt confident that there was no record made of Amau's press interview and he intimated that in certain particulars he may have gone too far in his language. The Ambassador referred to the use of the word "responsibilities" in reference to Japanese responsibilities in China, which he said was the wrong word because Japan does not assume independent responsibilities in China but only as shared with other powers. A few days after the Amau interview, on the 22nd to be exact, the Ambassador had received an explanatory communication from his government covering three points, which he at once gave to the Press; and thereupon he handed to me the clipping from the *Times* of April 24th² reporting the statement which he had given out under three heads.

I told the Ambassador that this did not help me very much; that what I wanted was the Amau statement, which I understood had the approval of the Foreign Office; and that I would be grateful to him if he would provide me with a copy of it. The Ambassador did not deny the fact that it represented the Foreign Office view but again expressed doubt whether the statement was in any precise form. Again he referred to it as Amau's attempt to answer a series of questions put to him by the correspondents. I reminded the Ambassador that he himself had given a number of interviews to the Press along the same lines, to which the Ambassador replied that he had been badly reported in these interviews and intimated that they did not represent fairly what he had intended to say in his "poor English".

Mr. Saito then shifted the conversation to China and to the historic attitude of the Chinese in trying to play off one foreign power against another. The present was another instance of China's attempt to use the League in order to make trouble with Japan; that instead of concentrating their efforts on bringing law and order into their own country, they proceeded on the theory that this was not necessary as long as they could keep foreigners, including the Japanese, fighting among themselves. He referred to the difficulties in Manchukuo, to the Chinese people who had many relatives south of the Wall and who had been unable to have direct communication with them because of the absence of direct mail service.

² Not reprinted.

I brought the Ambassador back to the subject in hand by reiterating again and as strongly as I could that the declarations made by Amau, which I understood had the Foreign Office approval, were regarded by us as exceedingly important and that we were studying them carefully. I said I would offer no comment today because of those very reasons.

W[ILLIAM] P[HILLIPS]

3.94/6006 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, April 25, 1934—1 p. m.

[Received April 25—9:55 a. m.]

75. This morning I had an interview with the Foreign Minister. Mr. Hirota referred, on his own initiative, to the subject of the Amau statement regarding the attitude of Japan toward foreign assistance to China, and said that he wished to clarify that statement to me in confidence. He told me that under questioning by newspaper men, Amau had given out the statement without his knowledge or approval, and that the world had received a wholly false impression of Japanese policy, that Japan had no intention whatever of seeking special privileges in China, of encroaching upon the territorial and administrative integrity of China, or of creating difficulties for the bona fide trade of other countries with China. Various foreign activities have tended to disturb peaceful conditions in China, and Japan is naturally very much interested in those peaceful conditions owing to her nearness to China. But that does not mean that there is any intention or desire on the part of Japan to claim a privileged position in derogation of the rights and responsibilities to which the signatories of the Nine-Power Treaty³ are entitled. The policy of Japan is complete observance and support of the provisions of the Nine-Power Treaty in every respect.

The insistence by the Chauvinists upon a more aggressive foreign policy, Mr. Hirota said, makes his position difficult. For his own part he is trying to follow the policy of the Emperor, with whom he is constantly in touch, and is seeking to achieve with all countries, and especially with the United States, relations of friendliness. He intends to do his best to bring to a successful conclusion the negotiations with Russia for the purchase of the Chinese Eastern Railway. If that controversy can be settled, there should be better relations between Russia and Japan, which would in turn tend to induce better relations between

³ For text of treaty, see *Foreign Relations*, 1922, vol. I, p. 276.

China and Japan. This whole constructive policy of the Emperor and the Government would obviously be impeded if Japan should now seek special privileges in China. Mr. Hirota said that he has managed thus far to satisfy both the Liberals and the Chauvinists, and that, since he has the Emperor's support, he will continue resolutely in his course even though that should mean his own death. He added also that the Minister of War supports him fully.

Mr. Hirota went on to say that attempts are constantly being made by certain foreign influences, through the press and by other means, to make trouble for Japan. It was his earnest hope that the United States Government should have a perfect understanding of his attitude toward Amau's statement, but he requested that his remarks to me be treated as confidential since his position was difficult. In conclusion, the Minister said that our Government may rest assured that Japan will take no action in China purposely provocative to other countries or contrary to the terms or spirit of the Nine-Power Treaty.

I do not question the sincerity of the Minister's remarks as reported above. Nevertheless I made the observation that the Government and people of the United States would be less impressed by statements of policy than by more concrete evidence.

I was told by the Minister that a similar explanation will be made to you by Saito. The Minister is to receive the British Ambassador at 3 o'clock.

Rumors are reported in the United Press that the Department will instruct me to ask for a clarification of the statement by Amau. Unless I receive supplementary instructions, however, I shall assume that the present telegram answers the Department's inquiry.

GREW

793.04/6729

*The Japanese Ambassador (Saito) to the Under Secretary of State
(Phillips)*

WASHINGTON, April 25, 1934.

DEAR MR. SECRETARY: In accordance with my promise yesterday, I am sending you a careful translation of the documents referred to in my conversation. I marked Mr. Hirota's instruction to the Japanese Minister in China as confidential since it was not written for the purpose of publication but simply as guidance for him in his negotiations. The phraseology would have to be more carefully selected, if it were to be made public.

With best wishes, I am [etc.]

HIROSI SAITO

[Enclosure 1]

TRANSLATION OF THE STATEMENT MADE BY MR. AMAU, CHIEF OF THE
INFORMATION BUREAU OF THE FOREIGN OFFICE, TO FOREIGN COR-
RESPONDENTS ON APRIL 20, 1934

1. Japan has no intention whatever of impairing China's independence or her interests but sincerely wishes that the integrity, unity and prosperity of China be secured. However, the integrity, unity and prosperity of China are things that can be brought about principally by China's own awakening and natural development.

2. Japan has no intention whatever to infringe upon any interest of a third party in China. The economic and commercial transactions of a third party with China can be of much benefit to that country and Japan welcomes promotion of such contact. Japan is not only desirous that China should not act in violation of the principle of the Open Door and equal opportunity but she will fully observe herself all the international agreements relating to China.

3. Japan, however, opposes any joint action on the part of foreign Powers that tends to militate against the maintenance of peace and order in Eastern Asia. As to the maintenance of peace and order in Eastern Asia, Japan wishes to share responsibility with China and other Powers in that region and she cannot tolerate the judgelike attitude of foreign Powers or the League of Nations in relation to the Chinese question which is often motivated by the self-interest of the Powers concerned.

[Enclosure 2]

TRANSLATION OF MR. HIROTA, MINISTER FOR FOREIGN AFFAIRS' INSTRU-
CTION TO THE JAPANESE MINISTER IN CHINA

1. In relation to the Chinese question Japan had to differ with other Powers in her views and standpoint and was obliged to withdraw from the League of Nations. Thereupon Japan has come to feel the necessity of exercising her best efforts to carry out her mission in Eastern Asia regardless of the attitude or opinion of other Powers.

Needless to say Japan will take the most conciliatory attitude toward all Powers and will earnestly seek friendship with them by coordinating interests. However, as to the maintenance of peace and order in Eastern Asia the recent developments of affairs have brought about a situation in which Japan will have to undertake it upon her own responsibility and even single-handedly. Japan is determined to fulfill this mission.

2. In order to fulfill that mission Japan desires to share with China the responsibility of maintaining peace in Eastern Asia. Japan

therefore most earnestly desires that the integrity, unification and order of China should be secured. And that this can only be attained through the awakening and endeavors on the part of China herself has been clearly demonstrated by history. From this point of view Japan will always endeavor to defeat all of China's maneuvers to utilize foreign Powers through her traditional policy of "using barbarians to control barbarians", as well as of anti-Japanese movements.

3. In view of the situation prevailing after the Manchurian and Shanghai affairs, if foreign Powers are to take a joint action vis-à-vis China, no matter what form it may take, financial, technical, or otherwise, it will surely come to bear a political significance and the result will be to introduce unfortunate impediments to the awakening and integrity of China, if not directly entailing the international control of China, her partition or the establishment of spheres of influence. Japan has to oppose such joint action in principle.

4. It goes without saying that all Powers are free to negotiate with China separately from the economic and commercial points of view, even if their actions should become of practical aid to China, so long as they do not militate against the maintenance of peace and order in Eastern Asia. If, however, these actions were of a nature to prejudice peace and order in the Far East, for instance, the supply of military aeroplanes, the establishment of aerodromes, the supply of military advisers or political loans, Japan will have to oppose them.

5. From the points of view above stated we think our guiding principle should be generally to defeat foreign activities in China at present, not only those of a joint nature but those conducted individually, in view of the fact that China is still trying to tie Japan's hands through using the influence of foreign Powers.

793.94/6729

*The Chief of the Division of Far Eastern Affairs (Hornbeck) to the
Under Secretary of State (Phillips)*

[WASHINGTON,] April 26, 1934.

Letter, Saito to Phillips, April 25, and Encl's

The first enclosure to Mr. Saito's letter is not the text of the statement made on April 17th by the spokesman of the Japanese Foreign Office, Mr. Amau; it is a statement made by that spokesman three days later on April 20th, that statement being one of several made by him subsequent to and in amplification or modification of his statement of April 17th.

There is not in this dossier, nor has Mr. Saito given us elsewhere, a text of the statement made by Mr. Amau on April 17.

The text of Mr. Amau's statement of April 17th as printed in the New York *Herald Tribune* of April 19th, which text purported to be a text telegraphed by the *Herald Tribune's* correspondent in Tokyo, Mr. Fleisher, differs considerably as to wording and order from the text now supplied, in this dossier, by Mr. Saito, of the instruction given by the Japanese Minister for Foreign Affairs (date not supplied) to the Japanese Minister to China. But, the contents of these two documents, as regards substance, resemble each other in all important respects.

It may be accepted that the statement made to the press by Mr. Amau on April 17th was, as Mr. Saito informed you, in your conversation with him of Wednesday, April 25th, based upon the text of Hirota's instruction of earlier date to the Japanese Minister to China. Amau therefore simply disclosed the China policy of the Japanese Government. It is believed that the copy now supplied by Saito of Hirota's instruction to the Japanese Minister to China gives us a basic document which may be regarded as an official "indicator", supplied by the Japanese Foreign Office, of Japan's policy vis-à-vis China.

S[TANLEY] K. H[ORNBECK]

793.94/6625a : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, April 28, 1934—7 p. m.

59. (1) Please call as soon as possible upon the Minister for Foreign Affairs and, under instruction from your Government, deliver to him an *aide memoire*, as follows:

"Recent indications of attitude on the part of the Japanese Government with regard to the rights and interests of Japan and other countries in China and in connection with China have come from sources so authoritative as to preclude their being ignored. Due consideration being given to the circumstances under which these indications have appeared and to their substance, it seems necessary and desirable that the American Government, adhering to the tradition of frankness that has prevailed in relations between it and the Government of Japan, reaffirm the position of the United States with regard to questions of rights and interests involved.

The relations of the United States with China are governed, as are our relations with Japan and our relations with other countries, by the generally accepted principles of international law and the provisions of treaties to which the United States is a party. In international law, in simple justice, and by virtue of treaties, the United States has with regard to China certain rights and certain obligations. In addition, it is associated with China or with Japan or with both, together with certain other countries, in multilateral

treaties relating to rights and obligations in the Far East, and in one great multilateral treaty to which practically all the countries of the world are parties.

Entered into by agreement, for the purpose of regulating relations between and among nations, treaties can lawfully be modified or be terminated—but only by processes prescribed or recognized or agreed upon by the parties to them.

In the international associations and relationships of the United States, the American Government seeks to be duly considerate of the rights, the obligations and the legitimate interests of other countries, and it expects on the part of other governments due consideration of the rights, the obligations and the legitimate interests of the United States.

In the opinion of the American people and the American Government, no nation can, without the assent of the other nations concerned, rightfully endeavor to make conclusive its will in situations where there are involved the rights, the obligations and the legitimate interests of other sovereign states.

The American Government has dedicated the United States to the policy of the good neighbor. To the practical application of that policy it will continue, on its own part and in association with other governments, to devote its best efforts."

(2) Report delivery immediately by telegraph.

(3) Thereafter, we expect to make text public here at our convenience.

HULL

793.94/6626: Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, April 29, 1934—7 p. m.

[Received April 29—9:30 a. m.]

83. Department's 59, April 28, 7 p. m., decoded at 5 p. m. I delivered *aide-mémoire* to the Minister for Foreign Affairs at 6:30 p. m. After reading it, his only comment was that the whole affair had caused "great misunderstanding". He said that he would reply to the *aide-mémoire* in due course.

GREW

711.94/970a

*The Japanese Ambassador (Saito) to the Secretary of State*⁴

These are entirely my private thoughts:

(1) There are too much suspicion and fear between the United States and Japan at present and some governmental action to dispel such feelings on both sides is very desirable.

(2) The impending naval disarmament problem can most happily be approached after some such measure is taken.

⁴ Handed to the Secretary of State by the Japanese Ambassador on May 16, 1934.

(3) American suspicions as to Japan's motives are essentially these: That Japan has aggressive designs on the Asiatic Continent and that Japan may even be courting war with the United States—which are not true.

(4) Japanese suspicions as to American motives are essentially these: That the United States constantly tries to obstruct Japan from working out her national aim, which is nothing but the establishment of peace and order in the Far East; that the United States has been giving undue encouragements to China to take a defiant attitude against Japan—which are not true.

(5) Japan and the United States should repose full confidence in the sincerity of the peaceful motives of each other.

(6) Trade relations between the two countries are fortunately complementary, highly beneficial to both and should be promoted.

(7) Upon these premises, cannot a joint declaration be now made by the United States and Japanese Governments?—in some such sense:—

(a) Both Governments will cooperate with each other to promote trade to the mutual advantage of the two countries and to make secure the principle of equal opportunity of commerce in the Pacific Regions.

(b) Both Governments, having no aggressive designs whatever, reaffirm the pledges each to respect the territorial possessions and the rights and interests of the other, and restate their determination that the two countries should ever maintain a relationship of peace and amity.

(c) Both Governments mutually recognize that the United States in the eastern Pacific regions and Japan in the western Pacific regions are principal stabilizing factors and both Governments will exercise their best and constant efforts so far as lies within their proper and legitimate power to establish a reign of law and order in the regions geographically adjacent to their respective countries.

(8) If such a joint declaration can now be made, all war talk will immediately be silenced, the psychology of men will undergo a change and whatever question may arise between our two countries will become capable of an easy solution. China will begin to see that she can no longer rely upon her time-honored policy of setting one Power against another. Not only so, but peace of the Pacific Regions will thereby be lastingly established—a signal contribution to world peace.

793.94/6763

Memorandum by the Secretary of State

[WASHINGTON,] May 19, 1934.

The Japanese Ambassador called and promptly drew out an elaborate telegram which he said was from Foreign Minister Hirota

in Tokyo to him. He first remarked that Hirota desired to extend his appreciation of the friendly spirit in which I sent the statement to him on April 28, 1934,⁵ and which was delivered by United States Ambassador Grew. He added that Ambassador Grew had stated to Minister Hirota at the time that the United States Government did not expect any reply. The Japanese Ambassador then proceeded practically to read the telegram, although appearing more or less to be speaking orally. He retained the telegram which was in his language. At its conclusion, I inquired if it was virtually a restatement of the statement during the latter part of April of his Government to Sir John Simon in the London Foreign Office. He replied that it was. I then stated that I had kept perfectly quiet while Japanese officials all the way from Tokyo to Geneva on April 17th, and for many days following, were reported as giving out to the press the views and policies of the Japanese Government touching certain international phases relating to the Orient; that at the conclusion of these different statements I felt, in order not to be misunderstood here or anywhere, that I should in a respectful and friendly spirit offer a succinct but comprehensive restatement of rights, interests, and obligations as they related to my country primarily and as they related to all countries signatory to the Nine-Power Treaty, the Kellogg Pact, and international law as the same applied to the Orient.

I then inquired whether the Japanese Government differed with any of the fundamental phases of the statement I sent to the Japanese Foreign Minister on the 28th day of April, 1934? The Ambassador replied that it did not differ, that his Government did agree to the fundamentals of my note or statement, but that his Government did feel that it had a special interest in preserving peace and order in China. He then repeated the same formula that his government had been putting out for some weeks about the superior duty or function of his government to preserve peace and of its special interest in the peace situation in—to quote his words—“Eastern Asia”. I remarked that, as Hirota wrote me, I saw no reason whatever why our two countries should not, in the most friendly and satisfactory way to each, solve every question or condition that existed now or that might arise in the future. I then said that, in my opinion, his country could conduct its affairs in such a way that it would live by itself during the coming generations, or that it might conduct its affairs even more profitably and at the same time retain the perfect understanding and the friendship of all civilized nations in particular; that my hope and prayer was that all the civilized nations of the world, including Japan, should work together and in a

⁵ See telegram No. 59, Apr. 28, 1934, to the Ambassador in Japan, p. 231.

perfectly friendly and understanding way so as to promote to the fullest extent the welfare of their respective peoples and at the same time meet their duties to civilization and to the more backward populations of the world; and that my Government would always be ready and desirous of meeting his Government fully half-way in pursuing these latter objectives.

I then remarked that I would be entirely frank by saying that just now there was considerable inquiry everywhere as to just why his government singled out the clause or formula about Japan's claiming superior and special interests in the peace situation in "Eastern Asia" and her superior rights or duties in connection with the preservation of peace there; and that many were wondering whether this phrase or formula had ulterior or ultimate implications partaking of the nature of an overlordship of the Orient or a definite purpose to secure preferential trade rights as rapidly as possible in the Orient or "Eastern Asia"—to use the Japanese expression. The Ambassador commenced protesting that this was not the meaning contemplated or intended. I said it would be much simpler and easier if when the national of any other government engaged in some act in the Orient which Japan might reasonably feel would affect her unsatisfactorily, to bring up the individual circumstance to the proper government, instead of issuing a blanket formula which would cause nations everywhere to inquire or surmise whether it did not contemplate an overlordship of the Orient and an attempt at trade preferences as soon as possible. The Ambassador again said that this so-called formula about the superior interests of Japan in preserving peace, etc., did not contemplate the interference or domination or overlordship such as I had referred to.

I stated that to-day there was universal talk and plans about armaments on a steadily increasing scale and that Japan and Germany were the two countries considered chiefly responsible for that talk; that, of course, if the world understood the absence of any overlordship intentions or other unwarranted interference by his government, as the Ambassador stated them to me, his country would not be the occasion for armament discussion in so many parts of the world; and that this illustrated what I had said at the beginning of our conversation that nations should make it a special point to understand each other, and the statesmen of each country should be ready at all times to correct or explain any trouble-making rumors or irresponsible or inaccurate statements calculated to breed distrust and misunderstanding and lukewarmness between nations. I went on to say that it was never so important for the few existing civilized countries of the world to work whole-heartedly together; and that this action of course would, more fully than any other, promote the welfare of the people of each and also would best preserve civilization. I emphasized again

that it would be the height of folly for any of the civilized nations to pursue any line of utterances or professed policies that would engender a feeling of unfairness or treaty violation or other unsatisfactory reaction in the important nations who might have both rights and obligations in a given part of the world such as the Orient. I said that in this awful crisis through which the world was passing, debtors everywhere were not keeping faith with creditors in many instances; that sanctity of treaties, in Western Europe especially, was being ignored and violated; that this was peculiarly a time when our civilized countries should be especially vigilant to observe and to preserve both legal and moral obligations; and that my country especially felt that way, not only on its own account but for the sake of preserving the better and the higher standards of both individual and national conduct everywhere.

I remarked that my Government, apart from its general treaty obligations, was only interested in the equality of trade rights in the Orient as in every part of the world and also its obligations and rights under the law of nations; that what little trade we had in the Orient we naturally desired to conduct on this basis of equality, even though it might be less in the future than now. Then I remarked that if these treaties which imposed special obligations on my government in the Orient were not in existence that, while interested in peace in all parts of the world, my government would also be interested in equality of trade rights.

I inquired whether his government had any disposition to denounce and get rid of these treaties in whole or in part, and said that to ignore or violate them would be embarrassing to my government, and that this would relieve it of any possibilities of such embarrassment. I said that I was not remotely suggesting in the matter. He replied that his government was not disposed to denounce and abrogate these treaties. He said that they felt obliged to get out of the League of Nations on account of certain considerations which their membership created. I then inquired of him whether his government abandoned membership on account of difficulties arising from the fact that Japan was a member of the League or whether it was due to Japan being a signatory to the Versailles Treaty. I did not get a complete answer to this.

The Ambassador then stated that in any preliminary naval conversations that might soon take place, his government would be opposed to discussing any Far Eastern political or similar questions or conditions and that only the purely naval side should be taken up. He said that political and all other phases of the subject were discussed at the Washington Conference and his government was opposed to a repetition of this. I offered no comment.

C[ORDELL] H[ULL]

711.94/970b

The Acting Secretary of State to the Ambassador in Japan (Grew)

No. 539

WASHINGTON, June 18, 1934.

SIR: Reference is made to the Department's telegram No. 100 of June 15, 7 p. m.,⁶ by which you were informed that on May 16, 1934, the Japanese Ambassador handed the Secretary a secret and confidential memorandum⁷ in which it was proposed that the American and Japanese Governments issue a joint declaration of policy.

On May 16, Mr. Saito, who had sometime previously expressed a desire to discuss in the strictest confidence relations between the United States and Japan, called on the Secretary by appointment. He presented a memorandum, the opening sentence of which stated that the statements thereafter following "are entirely my (Mr. Saito's) private thoughts". In that memorandum the opinion was expressed that the relations between the United States and Japan are marked by an excess of mutual suspicion and fear: that it is suspected in the United States that Japan has aggressive designs on the Asiatic Continent, whereas it is suspected in Japan that the United States has constantly endeavored to obstruct Japan from working out its national aims and that the United States has encouraged China to take a defiant attitude against Japan. It was suggested that the United States and Japan repose full confidence in the sincerity of the peaceful motives of each other, and that a joint declaration be made by the American and Japanese Governments proclaiming their intention to support the principle of equality of commercial opportunities in the Pacific regions, reaffirming their pacific intention toward each other, and, recognizing that the "United States in the eastern Pacific regions and Japan in the western Pacific regions are principal stabilizing factors", declaring their intention to use their best efforts to "establish a reign of law and order in the regions geographically adjacent to their respective countries".

The Secretary agreed to confer further with Mr. Saito after he had had an opportunity to examine the memorandum. The Secretary took occasion, however, to dwell at considerable length upon the changes that had occurred in recent years in the relations between states. He observed that the United States is exerting every effort to abandon as rapidly as possible any practice, policy, or utterance that might be reasonably calculated to give just or reasonable grounds of complaint to any other people or country; and that the American Government and American people feel that human progress and civilization call for just such reforms.

On May 29, Mr. Saito called, upon the Secretary's invitation. The Secretary proceeded to consider seriatim the several points raised

⁶ Not printed.

⁷ Ante p. 232

in the memorandum which Mr. Saito had presented at the meeting on May 16. The Secretary ventured the opinion that American suspicions with regard to Japan's motives arise from observation in this country of Japan's courses of action, and that these suspicions are not peculiar to the United States: they coincide with those which also have developed elsewhere. The Secretary could not perceive, however, that any basis in fact existed for Japanese suspicion with regard to American motives. Referring to Mr. Saito's statement that the United States and Japan should repose full confidence in the sincerity of the peaceful motives of each other, he remarked that Japan and the United States can best convince each other that their motives are peaceful by making both their words and their courses of action those of peace.

Adverting to the suggestion that there be made by the American and Japanese Governments a joint declaration of policy, he pointed out to Mr. Saito that the conclusion between any two countries of a special agreement on political lines tends to create in fact or in appearance a special situation meaning or implying that the relations between the two are closer than are those between each of them and other countries; that he could not believe that the making of such a joint declaration as that proposed by Mr. Saito, if it were possible, would, when it had been made, have the effects which he proposed; that the American people have always been adversely disposed toward the theory and the practice of political alliances; and that for the regulation of relations between Japan and the United States, there are already in effect today a number of agreements.

Mr. Saito was reminded that Mr. Hirota and the Secretary had recently exchanged messages,⁸ in which each of them declared emphatically and unequivocally that his country has no aggressive designs. The Secretary expressed the belief that he could not express more unequivocally than he had done in his note to Mr. Hirota, the fact that the United States has no thought of aggression against Japan or against any other country.

The Ambassador expressed some disappointment. The Secretary stated to Mr. Saito that the American Government will continue to give, as it has given in the past, earnest thought to ways and means calculated to dispel suspicion by the Japanese people of American motives and action in the Far East; but that that full measure of mutual respect and confidence which it is the endeavor of the people and Government of the United States to make prevail in their relations with other peoples and Governments must, in our opinion, rest upon approximate similarity of objective and of method.

⁸ *Ante*, pp. 127, 128.

Subsequently, in connection with Mr. Saito's preparations to return on leave to Japan, he expressed a desire that he be afforded an opportunity to take leave of the President. Arrangements were accordingly made for Mr. Saito to be received on June 13th by the President. The President asked that the Secretary be present; and he was present. Mr. Saito did not, however, raise any question of policy.

Very truly yours,

WILLIAM PHILLIPS

794.94/7074

Memorandum by the Secretary of State

[WASHINGTON,] June 15, 1935.

After the departure of Mr. Okada^a who had called to pay his respects in company with the Japanese Ambassador, the latter remained and proceeded to say to me that he had received during the morning a cable from Foreign Minister Hirota, in which he desired the Ambassador to know and to make known that there was nothing in all of the many rumors, reports and despatches coming out of China, except an effort of the Japanese to have carried out two or three more or less minor things they had asked the Chinese to do, which included the transfer or removal of a Chinese general, whose name I cannot recall but which I think is identified in the despatches. (Far Eastern Division suggests the general's name probably is Yu Hsueh-chung.) The Ambassador did not mention the other two things, but proceeded to say that there had been more or less depredations by roving groups of small armed bands of Chinese upon Japanese interests. The Ambassador closed by repeating his statement at the outset that nothing was taking place despite these many serious-appearing reports except an effort on the part of the Japanese officials and representatives to have the Chinese do the two or three things requested of them.

I proceeded at once to say that I was immensely gratified to have the benefit of this information direct from the Foreign Office of his Government. I said that with such a mass of all sorts of rumors, reports, and despatches coming out of this part of China, it was exceedingly important that the Japanese Foreign Office had taken these steps to keep the situation clarified; that the press of this and other countries naturally was filled with more or less alarming reports and comment that was undesirable from every standpoint. I said that lack of clarification by the Japanese Government might lead to representations from the parties having treaty rights and obligations, and it would

^a Member of the Japanese Diet.

therefore be helpful if the Japanese Foreign Office continued to take action toward clarifying the situation to the end that no misunderstanding and no undesirable impressions would arise.

The Ambassador then said that Foreign Minister Hirota had indicated he would furnish supplemental information along this line and I replied that this was exceedingly important and I hoped the Ambassador would keep in touch with the State Department from day to day in connection with the entire matter. I stated that I would be out of the city on Monday but I hoped he would keep in touch with Under Secretary Phillips. This the Ambassador agreed to do.

C[ORDELL] H[ULL]

798.94/7493

*Statement by the Secretary of State*¹⁰

In reply to inquiries by press correspondents in regard to the "autonomy movement" in North China, Chinese and Japanese activities in relation thereto, and the American Government's attitude, the Secretary of State said:

There is going on in and with regard to North China a political struggle which is unusual in character and which may have far-reaching effects. The persons mentioned in reports of it are many; the action is rapid and covers a large area; opinions with regard to it vary; what may come of it no one could safely undertake to say; but, whatever the origin, whoever the agents, be what they may the methods, the fact stands out that an effort is being made—and is being resisted—to bring about a substantial change in the political status and condition of several of China's northern provinces.

Unusual developments in any part of China are rightfully and necessarily of concern not alone to the Government and people of China but to all of the many powers which have interests in China. For, in relations with China and in China, the treaty rights and the treaty obligations of the "treaty powers" are in general identical. The United States is one of those powers.

In the area under reference the interests of the United States are similar to those of other powers. In that area there are located, and our rights and obligations appertain to, a considerable number of American nationals, some American property, and substantial American commercial and cultural activities. The American Government is therefore closely observing what is happening there.

Political disturbances and pressures give rise to uncertainty and misgiving and tend to produce economic and social dislocations. They

¹⁰ Issued as a press release December 5, 1935, for publication in the morning newspapers of December 6, 1935.

make difficult the enjoyment of treaty rights and the fulfillment of treaty obligations.

The views of the American Government with regard to such matters not alone in relation to China but in relation to the whole world are well known. As I have stated on many occasions, it seems to this Government most important in this period of world-wide political unrest and economic instability that governments and peoples keep faith in principles and pledges. In international relations there must be agreements and respect for agreements in order that there may be the confidence and stability and sense of security which are essential to orderly life and progress. This country has abiding faith in the fundamental principles of its traditional policy. This Government adheres to the provisions of the treaties to which it is a party and continues to bespeak respect by all nations for the provisions of treaties solemnly entered into for the purpose of facilitating and regulating, to reciprocal and common advantage, the contacts between and among the countries signatory.

711.94/1057a : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, February 1, 1936—1 p. m.

16. For your information. Press reports indicate that Japanese press has widely carried stories affirming comprehensive political negotiations between Grew and Hirota and between Hull and Saito.

Interrogated by press correspondents this morning, the Secretary of State said there were no new developments in relations between the United States and countries of the Far East; and Departmental officers have informally explained to correspondents that there have been held numerous conferences with regard to particular questions of trade but no conferences on political matters have been held or been suggested.

HULL

711.94/1112

Memorandum by the Secretary of State

[WASHINGTON,] June 12, 1936.

Mr. Yoshida, Japanese Ambassador to England, came in and stated that he was very desirous of promoting better relations and better understanding between our two countries. He said that the one big fact which he wanted the American people to recognize was the immense and rapidly growing population of Japan and the absolute necessity for more territory for their existence in anything like a satis-

factory way. He referred to the fact that there was misunderstanding and misapprehension on the part of our people in this respect as it related to Japanese movements in and about China; that this also was probably true as to the British; that the Japanese armaments were not intended for war against any particular country, especially us, but that Japanese naval officials were always undertaking to create additional vacancies and additional room for promotion, etc., etc. I did not tell him that this by itself was not entirely appealing. He expressed an earnest desire for conference, collaboration and, without alliances, such relationships as would work out any questions arising in an amicable and fairly satisfactory way. He expressed his purpose to have a number of conversations with Ambassador Bingham, as well as with the British officials, on these subjects, with the view to the former conversations getting back to me.

In reply, I told Mr. Yoshida that I would speak frankly but in the friendliest possible spirit and say that the impression among many persons in this country was that Japan sought absolute economic domination, first of eastern Asia, and then, of other portions as she might see fit; that this would mean political as well as military domination in the end; that the upshot of the entire movement would be to exclude countries like the United States from trading with all of those portions of China thus brought under the domination or controlling influence so-called of Japan; that this presented a serious question to first-class countries with commercial interests in every part of the world, for the reason that, for instance, my country stood unqualifiedly for the principle of equality of commercial opportunity and industrial right alike in every part of the world; and that it would be strange and impracticable for my country to stand for this doctrine with the announcement always that it qualified same by applying it to only one-half of the world and one-half of the world's population. I remarked that I could say in all candor that this Government had never by the slightest word or intimation suggested to the people or officials of the 20 Latin American countries as to what amount of trade they should conduct with Germany, or Great Britain, or Japan, or any other country.

I continued with the statement that there was no reason, in my judgment, why countries like Japan, the United States and England, could not in the most amicable spirit, and with perfect justice and fairness to each, agree to assert and abide by the worldwide principle of equality in all commercial and industrial affairs, and each country solemnly agree that it would not resort to force in connection with the operation of this rule of equality, and why Governments like the three mentioned could not sit down together and in a spirit of fair dealing and fair play

confer and collaborate and not cease until they had found a way for amicable and reasonable adjustments or settlements. I said that this would wipe out and eliminate 90% of all the occasions for friction between the nations. I then repeated what I told him I had stated to Ambassador Saito, which was that neither Japan, the United States, England, nor any other country, would be able for a generation to supply the needed capital of many billions of dollars for the reasonable internal improvements and development of purchasing power in China and similar Asiatic localities; that their purchasing power was down to next to nothing at present; that there was ample room for long years to come for three or four countries like those just mentioned to supply all the capital they would have available, with the result that increased purchasing power would afford markets for most all of what all of the countries combined would have for sale in that part of the world, and that in any event any questions or problems arising in this connection could and should be solved in the same amicable and fair spirit to which I had already referred. I assured the Ambassador more than once of my high opinion and personal regard for his people, and especially his statesmen, and that I was anxious to see all parts of the world develop and go forward with every kind of progress to the fullest extent. He expressed his interest in the views I offered and indicated a disposition to collaborate.

I then carefully and rather fully defined and described the machinery, the policy and the scope, of our present reciprocal trade agreements program, which, I said, related to real international trade recovery to near normal and the restoration of conditions of peace. I added that for more than two years this Government had unselfishly, and at the sacrifice of bilateral trading, been making an earnest fight thus to induce other countries to lower their excessive barriers and permit some 20 billions of dollars of international trade by degrees to be restored. I stated that if and as such increased trade was realized, Japan would receive her substantial share without any effort or contribution on her part, as would other trading countries, and that this would be far more valuable than the limited amount of trade to be secured by purely bilateral bartering and bargaining, such as nations are practicing today, at the expense of triangular and multilateral trade; that we in this country had at the risk of our political situation been carrying forward this broad program; that on account of the strong and narrow opposition sentiment here, we could only proceed gradually; and that, therefore, it was exceedingly hurtful to the progress of our movement when, at a critical stage as at present, a country like Japan sent in abnormal quantities of highly competitive products to the extent of 20 or 40 or 50% of our domestic production; that this

would present a different question in other and ordinary circumstances, but that at this critical stage, as in the recent case of certain cotton textiles and other commodities sent in by Japanese businessmen in unusual quantities, such practice was seriously undermining and jeopardizing the success of our entire program. I stated that I did not desire to be misunderstood; that it was this outside interference at a time when it was extremely dangerous and harmful to the success of the movement on account of the large opposition sentiment in this country; that I felt a trading country like Japan, which would share to the extent of billions of dollars in the world trade which it was proposed to restore by our pending reciprocity program, could well afford to make a slight contribution to the movement by cautioning its nationals to refrain at the psychological moment from seriously embarrassing and handicapping us here by sending in abnormal quantities of competitive products compared with the amount of our domestic production.

I said I could make this plainer by suggesting that if the Argentine were carrying forward our reciprocity program under great difficulties, and just at the critical stage my country should export unusual quantities of beef, wheat, wool and corn in to the Argentine, which, like my own country, produces each of these commodities for export, unquestionably this would seriously endanger the success of such Argentine trade agreements program. I said that this illustration fitted exactly the present situation between Japan and this country.

The Ambassador stated that he would like for me to remember the difficulties of the businessmen and traders of Japan and the necessity for outside trade.

I assured him that I was keeping this phase specially in mind and then added that if our movement to restore some 20 billions of dollars of world trade should break down tomorrow, as a result of any material number of excessive Japanese imports and their effect on public opinion, Japan instead of getting between 1 and 2 billions of this increased trade then would be confined permanently in the future to such small increases of trade as she might be able to secure by desperate bilateral bargaining and bartering in a world trade situation steadily becoming less in quantity and value. I said that this stated exactly the two courses open and that I would greatly appreciate it if his Government could see more fully these broader phases.

Mr. Yoshida finally ceased to make any comment about the urgent needs of Japanese businessmen, but said that he now understood more fully the viewpoint I had expressed.

C[ORDELL] H[ULL]

793.94/8218: Telegram

The Chargé in Japan (Dickover) to the Secretary of State

[Paraphrase]

Tokyo, October 3, 1936—7 p. m.

[Received October 3—1:10 p. m.]

203. In response to the request of the Vice Minister for Foreign Affairs, a member of the Embassy staff called on the Vice Minister on October 3. The Vice Minister remarked that he desired to say, in view of mischievous and misleading reports in the press abroad in regard to relations between China and Japan, that discussions between the Japanese and Chinese Governments to adjust relations and solve pending questions had not come to a substantial stage at the time the Chengtu incident¹¹ happened and that this incident and other incidents interfered with the progress of the discussions. The Vice Minister stated that, in connection with the settlement of these questions, it is Japan's wish that the Chinese Government take effective measures to uproot anti-Japanese movements and that the Japanese Government wishes to clear up at the same time other questions. The Vice Minister stressed the fact that these other questions are not unconditional demands but are Japanese wishes to be reached by discussion but he did not enumerate them. He added that there are no new points in the negotiations between the two countries. The Vice Minister, after referring to press reports, denied that the Japanese are asking for the rights of North China involving diplomatic, fiscal, administrative autonomy or for the right to station troops along the Yangtze River. . . .

During the course of a conversation with the American Chargé d'Affaires later in the day on October 3, the Vice Minister for Foreign Affairs remarked that the Japanese Government does not intend to use force or other military operations to cause China to agree to Japanese wishes and that the discussions going on with China at present are in no sense like the twenty-one demands.¹² The Vice Minister stated that the only demand which Japan will insist upon is that anti-Japanese agitation and propaganda be suppressed on account of the danger of further incidents, and that, although other matters will be talked over, they will be merely desiderata designed to promote normal and more healthy relations and subject to negotiation. . . .

Despite reports in regard to the alarming attitude of Japanese representatives in China it is the opinion of the Embassy that the Gov-

¹¹ Killing of Japanese nationals at Chengtu.

¹² See *Foreign Relations*, 1915, pp. 171-177 and 197-204.

ernment in Tokyo is limiting its efforts to objectives less extensive than those reported in newspapers abroad and is still in control of the situation.

DICKOVER

793.94/8218 : Telegram

The Secretary of State to the Chargé in Japan (Dickover)

[Paraphrase]

WASHINGTON, October 4, 1936—2 p. m.

128. (1) At the earliest opportunity Ballantine¹³ should call upon the Vice Minister for Foreign Affairs, and after alluding to previous conversations he should read to the Vice Minister, as under instruction, a close paraphrase of the following statement:

"This Government is gratified to have received, through the Vice Minister for Foreign Affairs, direct information from the Japanese Government relating to a situation which from the beginning has held the attentive interest of the United States. The sensational and alarming reports which have appeared in the press have been observed with natural concern by this Government. The initiative taken by the Japanese Government in communicating to this Government information tending to a better understanding of relations between Japan and China is, therefore, sincerely appreciated. It is also a source of special satisfaction to the American Government to have received from the Japanese Government an assurance of its desire that a solution of the issues between Japan and China shall be achieved by diplomacy. All developments in the situation will be followed by this Government with solicitude. It would be most helpful, therefore, if from time to time, and as circumstances may dictate, the Japanese Government would continue to acquaint this Government with information which would contribute to a better understanding of the situation."

(2) The above statement should be regarded as oral, and a copy should not, therefore, be left with the Vice Minister.

HULL

¹³ Joseph W. Ballantine, First Secretary of Embassy in Japan.

ABANDONMENT BY JAPAN OF COOPERATION
WITH OTHER POWERS IN EFFORTS FOR
LIMITATION OF NAVAL ARMAMENTS

DENUNCIATION BY JAPAN OF THE WASHINGTON NAVAL TREATY OF 1922¹

[Article 23 of the London Naval Treaty of 1930 (Department of State Treaty Series No. 830) provided that the signatory powers should meet in conference in 1935 "to frame a new treaty to replace and carry out the purposes of the existing treaty."

In May 1934, the British Cabinet Council considered the question of preparing for the 1935 Conference and at the conclusion of its deliberations asked the American and the Japanese Governments to send representatives to London to carry on preliminary and exploratory conversations which should be bilateral rather than trilateral. The invited Governments accepted, the United States indicating that it would be glad to discuss both procedural and technical naval questions, and Japan declaring the readiness of that Government to deal only with questions of procedure as its preparations on the substance of the naval problem were not yet completed. The Japanese Government sent no delegation to London during the summer. The Anglo-American conversations lasted from June 18 to July 19, 1934.

The second stage of the conversations began shortly after the long-delayed arrival of the Japanese delegation on October 16 and continued until December 19, 1934. In accordance with the original British invitation in June, the procedure followed was that of separate Anglo-American, Anglo-Japanese, and American-Japanese discussions; except on the last day (December 19) no trilateral meetings took place. For text of letter of guidance which President Roosevelt addressed to Mr. Norman H. Davis, October 5, 1934, upon his departure for London to continue the conversations, see telegram No. 373, November 30, 1935, to the Ambassador in Great Britain, page 281.]

500.A15A5/7

The Ambassador in Japan (Grew) to the Secretary of State

No. 520

TOKYO, September 15, 1933.

[Received September 30.]

SIR: Japanese naval leaders find themselves at present in a serious quandary. They have, since the ratification of the London Treaty²

¹For text of the treaty signed at Washington, February 6, 1922, see *Foreign Relations*, 1922, vol. I, p. 247.

²London Naval Treaty, signed at London, April 22, 1930, Department of State Treaty Series No. 830.

and especially in the past year or more, insisted that Japan must demand parity, or at least a great increase in relative tonnage, at the next Naval Conference in 1935. They have built up a feeling among the people of resentment and contempt for anything connected with the London Treaty. Premier Hamaguchi and Premier Inukai were assassinated, and other statesmen live in fear of their lives, in consequence of the bitter feeling stirred up against protagonists of the London Treaty. Admirals Takarabe, Yamanashi and Taniguchi have been retired in consequence, it is generally believed, of their support of this Treaty. According to the press, Admiral Taniguchi's recent retirement put an end to the high naval influence standing for the maintenance of the present treaty status. His retirement took place during the conduct of the "May 15th trials", which have taken on the character of the Soviet propaganda trials and have stirred up great patriotic ardor against the London Treaty.

The result of these efforts by military leaders has been the creation of an intense antipathy for the arms limitation treaties and a universal demand for revision of the present naval ratios in favor of Japan. This feeling was useful to the Navy leaders until lately, when American naval construction has definitely commenced. The Navy now has the unenviable task of deciding whether to abrogate the treaties next year and start a hopeless competition with far wealthier nations for naval supremacy, or else to accept a continuance of the present ratios and to face an outraged public. Until recently, as the Japanese Navy approached the American Navy in effective tonnage, many leaders had high hopes of achieving parity or near parity with America. A short time ago Vice Admiral Takahashi, Vice Chief of the Naval General Staff, frankly said to the Assistant Naval Attaché of this Embassy: "We are going to the Conference in 1935 with a demand for parity. If our demand is rejected, we shall return home."

This hope is now vanishing, as America begins to build toward the Treaty limits. By 1936 they realize that the situation will be comparable to that in 1927.

It is obvious from the flood of comment* which has followed announcement of the American building plans that the Japanese navy leaders are bitterly disappointed. They expected to have everything their own way at the conference in 1935 with their own navy built to the limit and the American navy hardly 75% effective. Their calculations have been completely upset by this new and unexpected development in the United States.

* Embassy's despatch No. 480 of July 26, 1933. [Footnote in the original; despatch under reference not printed.]

At present the Army and Navy are concentrating their efforts on obtaining funds for completion of their armament programs. The Navy program was discussed in brief in the Embassy's previous despatch on reaction to the American building program. The American program is being used as justification for increased demands, and the impression is given out that the second naval replenishment program has been launched only because of the need of keeping pace with America. The fact is, of course, that the second replenishment program was announced in almost the present form as early as January of this year, several months before the American program was conceived. Moreover, the Japanese press invariably remarks that the American program will bring American naval strength up to Treaty limits, whereas actually it is understood to fall short of the objective by about 175,000 tons. But anything is used these days as an excuse for increased armaments for the Japanese Army and Navy.

There is hereto appended a translation appearing in the *Japan Times* of an interesting statement by the Minister of War, General Araki, in regard to national defence and the necessity of preparation for the approaching crisis in 1935 and 1936.³ There is also appended hereto an account of an interview given by the Navy Minister to the Tokyo correspondent of the United Press, which may be of interest in connection with naval affairs.

Respectfully yours,

JOSEPH C. GREW

[Enclosure]

Interview Given by the Japanese Minister of Marine (Osumi) to the Correspondent of the United Press in Tokyo

[Undated]

1. Q. Is Japan satisfied with the existing naval agreements? Will she request a larger ratio when the agreements come on for revision in 1936?

A. In the treatment of armament limitation problem the security and the limitation of fighting power are invariably bound together. From this fact it would be apparent that the position of naval armament is always closely dependent on international surroundings. If that is the case, there is no reason why a nation should remain forever content with a treaty which it had once signed. Only out of regard for the welfare of humanity, we signed the London Naval Treaty, but we did not do it unconditionally. As regards the Washington Agreement, it was signed twelve years ago and in our opinion is no longer adequate to guarantee the security of this empire as the

³ *Japan Times*, September 14, 1933; not reprinted.

international situation has thoroughly altered in that period of time. Furthermore from the standpoint of true armament limitation it is doubtful if the present ruling is really most rational and economical. At any rate we are not satisfied with the present arrangement, and we will demand the change of ratios at the next conference.

2. Q. Have the existing naval agreements served a useful purpose from the viewpoint of Japan? Does the Japanese Navy favor making new agreements cover additional categories of ships including submarines?

A. From the standpoints of all nations participatory to it, I will not deny that the existing treaties have served some useful purpose. For example:

(a) They have to some extent effectually checked the competition in armament building, as far as the capital ships were concerned.

(b) They have ushered in a building holiday as regards the capital ships and to that extent lightened the burden on the tax-payers.

(c) Through the limitation of the types and guns they have precluded the chance of new ships becoming suddenly incapacitated as the result of a new invention in fighting machineries, and thus prolonged the life of fighting vessels consequently enabling the participants to economize expenditures.

I think these are the benefits common to all nations.

3. Q. Does the Minister apprehend a so-called "naval construction race" between Japan and the United States?

A. As far as the present situation is concerned, Japan and the United States are building only within treaty limits. Hence in my idea the term "naval race" is a sheer misnomer to describe the building position between these two countries.

4. Q. Why do Japanese naval publicists refer to the Mandate Islands in the South Seas as Japan's naval lifeline? Of what value are these islands from a viewpoint of defence?

A. The South Sea Islands are separated from the southernmost islands of Japan by a narrow strip of water. Parts of Japan are situated within the cruising radius of a heavy bombing plane from the South Sea Islands, which possess therefore a great strategical value for the defence of the empire. If they should fall in the hands of a hostile power in war time, it will constitute a direct menace to the safety of our defence. This is why we call it the life-line of our sea defence. Some preach the idea that Japan is going to utilize these islands for an attack on the Pacific coast of the United States and the Hawaiian Islands. But just a look at the map will convince the public of the fallacy of such a doctrine. Can these islands be used as a base of attack on Hawaii which are lying as much as 2,000 miles away beyond the ocean, and this with a navy of lesser strength?

The sheer impossibility of such idea will be apparent to anybody who knows something about naval warfare.

5. Q. Does the Minister believe the purchase of a 45 percent interest in the China Aviation Corporation by American interests is a matter of interest to the Japanese Navy? Does Japan consider American participation in Chinese aviation development as connected with China's defence plans?

A. I am in no position to answer the question 5 except that we have as yet no reliable information in this respect, and that between the civil and the military aviation there is no hard and fast line of distinction, and this circumstance gave rise to embarrassing complication at Geneva whenever the problem was brought up for discussion.

6. Q. What does the Minister consider to be the mission or objectives of the United States and Japanese navies in contrast? Should there be, or is there, any clash in these objectives?

A. Secretary of the Navy, Swanson recently stated that the United States means to hold a navy strong enough to defend the country and its oversea dominions, and to this end will build, maintain and operate the first-in-the-world navy following the provision of existing treaties. If such is the case it can by no means clash with the mission of the Japanese navy which consists in the maintenance of the peace in the Far East and the defence of the empire's position in the Far East. To the Japanese Navy the idea of crossing the Pacific Ocean in order to attack our neighbours is quite alien. Its mission is strictly defensive and legitimate.

7. Q. Does the Minister see any possibility of Japanese-American War?

A. I am positive in the belief that unless Japan's national existence is menaced to the extent that the use of force is the only way to defend it, the world will never find Japan involved in a war with other countries.

500.A4B/559 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

Tokyo, September 18, 1934—noon.

[Received September 18—2:47 a.m.]

204. I was informed by the Minister of Foreign Affairs yesterday that Japan had definitely decided to give notice before December 31, 1934, to terminate the Washington Naval Treaty. Although many elements in the Navy wished to abrogate immediately, the Minister said that he had insisted on delaying until after the London conversations in October, as he intended to discuss the subject with the other

signatories before abrogation so as not to give offense and also for the purpose of avoiding the unfavorable atmosphere before the next naval conference which, if abrogation should take place without a preliminary mutual understanding, might arise. The Minister stated that the abrogation discussions would be conducted separately with the various signatories and that the matter would be taken up with the American delegation at the preliminary conversations in London by Matsudaira, the Japanese Ambassador in Great Britain.

GREW

500.A15A5/211 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

LONDON, October 24, 1934—7 p.m.
[Received October 24—5:17 p.m.]

6. In the meeting with the Japanese delegation this morning Matsudaira read a brief general statement of the Japanese position following which Admiral Yamamoto read a more detailed statement. The substance of their position is contained in the following synopsis handed us at the end of the meeting.

“To possess the measure of armaments necessary for national safety is a right to which all nations are equally entitled. In considering the question of disarmament, therefore, due regard must be given to that right in order that the sense of national security of the various powers might not be impaired; and any agreement for the limitation and reduction of armaments must be based on the fundamental principle of ‘nonaggression and nonmenace.’

To that end we believe that the most appropriate method in the field of naval armament is for us, the leading naval powers, to fix a common upper limit which may in no case be exceeded, but within which limit each power would be left free to equip itself in the manner and to the extent which it deems necessary for its defensive needs. It is desirable that this common upper limit should be fixed in the agreement as low as possible and that offensive arms should be reduced to the minimum or abolished altogether in favor of essentially defensive arms so as to facilitate defense and to render attack difficult.”

[Paraphrase.] They had made the same declarations to the British yesterday, Matsudaira said.

We limited ourselves to putting questions for the purpose of clarifying the Japanese position particularly with regard to what they meant by “offensive arms” and by a “common upper limit.” It was explained by Admiral Yamamoto that the “upper limit” should be the same for each power and should be fixed as low as possible of course; that while Japan would not build up to this maximum necessarily, the treaty

would leave each country, during the treaty period, at liberty to build to any point within that limit which it considered necessary for its security. It was emphasized by Matsudaira that any treaty agreement not to build beyond a certain level within the maximum would constitute, in essence, a disguised continuance of the ratio system and would be interpreted as a perpetuation of naval inferiority by the Japanese people.

Concerning offensive weapons Admiral Yamamoto agreed that, under certain circumstances, all naval weapons partook of an offensive character, but that it was a question of determining which vessels, in comparison with others, were more peculiarly useful for offense; that the Japanese Navy regarded aircraft carriers, capital ships, and 8-inch-gun cruisers as peculiarly offensive naval weapons in the order given. Yamamoto added that, owing to their relative unseaworthiness and short range, submarines were regarded by the Japanese Navy as useful primarily for defense, and that the offensive character of submarines vis-à-vis merchant vessels would be ended if the existing agreement in the London Treaty against the use of submarines for attacking merchant vessels were made effective and universal.

At the request of Matsudaira, I summarized briefly our position as we had stated it to the British last summer in favor of continuing to adhere to the bases and principles on which our Navy had been reduced and limited, combined with a relative reduction in total treaty tonnages. Matsudaira pointed out that his delegation was under definite instructions to propose a new basis for continuing naval limitation, and that a continuance of the present system could not be accepted by them.

I then asked the Japanese to indicate exactly what if anything had occurred during the past 13 years to alter the relative equality in security admittedly established by the ratios set in 1922 for each power. Yamamoto explained that the Washington Treaty had established equality of defense in the waters close to Japan but not in the middle of the Pacific. Developments, since that time, in naval construction and technique, particularly in aviation, had overturned the equilibrium and had cast the balance greatly in favor of a potential attacking fleet, so that today the old figures could not possibly satisfy the feeling of security of the Japanese people. The inferior ratio had, in addition, the defect of causing "a certain country"^a to regard Japan with a certain amount of contempt which had produced, in turn, serious complications in the Orient and led to the Japanese people's insistent demand for a revision of the system in effect at present. Ambassador Matsudaira referred also to the troubled political situation in the Far East as well as throughout the rest of the world, stating that Euro-

^a China.

pean events had a disturbing psychological effect on Japan and increased the Japanese public's unwillingness that the present treaty principles should continue.

I stated to Matsudaira that they had employed general phrases about equality of rights, etc., which were capable of meaning quite different things to different nations, and that, before determining whether or not the Japanese proposals could be taken into consideration as furnishing a basis for discussion in the future, it would be necessary to determine exactly what they meant; that, in the event there should be no objection to discussing a different basis for continuing naval limitations and reductions, it would appear that the Japanese suggestions might involve such fundamental alterations in principle, policy, and theory as to necessitate a reopening and re-examination of all the questions which had gone into the formulation of the present naval treaties. I expressed doubt of the practicability and advisability of this, particularly at this time. It had been our hope that it would not be necessary to bring up political questions, in the preliminary conversations at least, which might be involved by some of their proposals. Matsudaira recognized that this was one difficulty which we faced, but indicated that the Japanese proposals did not envisage a change in the status of any of the present political agreements or of the nonfortification provisions in the Pacific area. It was then agreed that it would not be advisable to continue further today our discussions, inasmuch as each of us would desire time carefully to consider what had been said, including the further elucidation of the Japanese position which Matsudaira had announced he wanted to make.

The understanding was that the conversation would be treated as confidential and that nothing would be said to the press except that a general exchange of views had taken place and that no documents had been exchanged between us. [End paraphrase.]

DAVIS

500.A15A5/211 : Telegram

The Acting Secretary of State to the Chairman of the American Delegation (Davis)

[Paraphrase]

WASHINGTON, October 25, 1934—6 p. m.

6. With reference to your telegram No. 6 of October 24, 7 p. m., the Japanese statement and the recent public utterances of responsible exponents of Japanese unofficial and official views indicate an uncompromising and rigid Japanese attitude. That the Japanese are preparing the ground for a probable walkout is suggested by the rigidity and scope of the position which they take. An evident un-

willingness on their part to discuss anything except what suits their own national aspirations, regardless of world conditions, implies a throwing off of all restrictions and an abandoning of all effort looking toward real cooperation in the realm of international relations and peace machinery. No justification is offered by them except arguments of prestige and manifest destiny for their claim of paramount responsibilities and rights in the Far East, and their demand for a change in the agreements and ratios entered into toward the preservation of Far Eastern peace. No sufficient reason exists why all the nations of the world cannot proceed on the basis of security and peace laid down in the Washington treaties, to the principles and provisions of which treaties this Government still adheres. The plea on the part of the Japanese of need of self-defense is similar to the one which they made at the time of beginning their military occupation of Manchuria and their attack, in 1932, at Shanghai upon the Chinese. No reason exists why the other countries of the world should accept the Japanese view of Japan's requirements and rights or allow themselves to be represented as obstructing the Japanese people's legitimate aspirations. The publicity which the Japanese are according to their line of exposition suggests that, on the expectancy of walking out, they desire to create an impression with the public, to be developed further at the moment when they wish, that they are driven to that conclusive action by indifference to Japanese necessities in the field of self-defense on the part of other countries.

It will be necessary for us to combat whatever efforts they may make to shift the responsibility for a break, if and when it occurs, from themselves to the United States and/or Great Britain.

We believe that we should be guided, in contacts with the British conferees and with the press, by the above line of reasoning. However, it should not be made the basis of any official statement but might, in the course of discussions or conferences where comment is required, be borne in mind.

From the American point of view, the publicity here at present is satisfactory.

PHILLIPS

500.A15A5/211 : Telegram

The Acting Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, October 31, 1934—9 p. m.

186. The developments in London since October 25 are as follows:

On October 25 Davis and the Prime Minister ^{5a} exchanged views regarding the Japanese proposals. The idea of a common maximum

^{5a} J. Ramsay MacDonald.

limit will not be accepted by the British. It was their hope that when the Japanese perceived that the British and the Americans would not agree to fundamental changes, the Japanese would become more reasonable and would be content with a statement in the preamble to the treaty voicing equality of sovereign rights, the treaty itself fixing respective relative limits approximately according to the present ratios. Before coming to grips, the British wished to have further explanation from the Japanese. In order not to unsettle unity of British-American views regarding the Japanese position, Davis avoided raising technical questions.

The London press on October 26, under information from the Foreign Office, deprecated the views relative to the Anglo-Japanese alliance which were expressed in Tokyo by spokesman for the federation of British industries mission in the Far East; the press emphasized the close approximation of British-American naval policies.

At the American-Japanese meeting on the morning of October 29, Matsudaira stated that his Government would denounce the Washington Naval Treaty before the end of the year. Matsudaira also said that the same common upper limit proposed by Japan would apply to France and Italy. In regard to a possible meeting of the technical experts of the two delegations, Davis told the Japanese that we were willing to listen to their technical views only if it were understood that neither side would make any commitments in principle. Admiral Yamamoto saw little value in technical meeting unless we were prepared to state the technical details of our program. Davis replied that we had no technical details, as the American program was a percentage reduction within the existing system, although as to carrying it into effect in individual categories we were open-minded. The two delegations agreed that the matter be taken up at a subsequent meeting.

In the afternoon on October 29 the British and the American delegations met and the Prime Minister raised question of increased cruiser tonnage. Davis stated that technical discussions would lack reality in view of the fundamental changes proposed by the Japanese and their intention to denounce the Washington Naval Treaty. The Prime Minister said that the Japanese position was more serious for Britain than for the United States and that the British were determined to meet the situation with a fleet that would be adequate for defense in the Pacific as well as at home; they would do this either by building a fleet of sufficient size or by seeking a political agreement that would cover the Pacific for the requisite security there.

MacDonald reiterated that the British did not agree to the Japanese idea of a common upper limit, which would apply also to France,

Italy and probably to Germany and to Russia as well. The Prime Minister felt that for the present a patient attitude toward Japan should be continued, but that if a tripartite agreement became impossible he did not question British parity with America based on the British conceptions of their own risks. Davis stated that we had no desire to impose on the British a treaty incompatible with their national safety, but that we must consider joint adoption of a course by which a naval race with Japan would not be invited. The suggestion was made by the British that when the Americans next met with the Japanese they should urge the latter to contemplate the situation which would result from no treaty. The British had set before the Japanese a face-saving device, but they had adopted an unreceptive attitude toward it. When the Japanese situation should have definitely cleared up, the British agreed on the desirability of tripartite meetings; and they also agreed that for the time being British-American technical discussions would be inadvisable. It is Davis's belief that the British view policy of the Japanese with deep concern, and that in their own minds the British have reached no solution.

PHILLIPS

500.A15A5/254a : Telegram

*The Secretary of State to the Chairman of the American Delegation
(Davis)*

[Extract—Paraphrase]

WASHINGTON, November 13, 1934—3 p. m.

17.

We are convinced by the conversations which have taken place over the past three weeks^a that practically no chance exists of bridging the definite disagreement between the Japanese delegation on the one hand and the British and ourselves on the other with regard to the fundamentals of future naval limitation. Every opportunity has been afforded the Japanese to explain and to justify Japan's demands; we have not forced the pace and we have not refused them a chance to "save face". We should continue to emphasize our thesis that maintaining the treaties as a basis for future naval limitation rests on the equality of self-defense, equality of security, and on a united purpose to avoid competition in armaments. The only construction we can place on the Japanese thesis is that it represents a desire to obtain overwhelming supremacy in the Orient opening the way

^a See Department's telegrams No. 186 (*supra*) and No. 191 (*infra*) to the Ambassador in Japan.

ance in Asia, both economic and political, which is represented by the other basic principles and policies that are embodied in the Washington and other treaties.

HULL

500.A15A5/284b: Telegram

The Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, November 22, 1934—5 p. m.

191. Summary of developments at London since my telegram No. 186, October 31, 9 p. m., follows:

On October 31, at a meeting of the American and the Japanese delegations, the discussion centered mainly around (1) whether or not technical naval improvements had altered relative security as it was fixed by the naval treaties; and (2) whether or not the Japanese Government would continue to pursue policy of cooperation to adjust problems of international concern or whether it would revert to a course of independent action. Davis put forward the point that it was difficult for us to appreciate Japan's contention that national prestige was affected by a smaller navy; by analogy, he compared our Army with the Japanese Army.

On November 1, Sir John Simon^{6a} and Davis met to review the recent British-Japanese meeting. Sir John said that he had taken a more positive attitude vis-à-vis Matsudaira than he had heretofore in order that he might learn the true motives for Japan's demands for parity. He had indicated that if Japan would be content with a face-saving formula, it might be possible to find a way out; but that if the question were one of changing the present status of the naval treaties, the British would have to refuse. Davis was assured by Simon that the British would not essay the role of mediator; that it was the British policy to make no agreement with Japan or with any other power that would adversely affect Anglo-American relations.

On November 6, there was another meeting between Davis and Simon, at which time Simon said that he was going to ask the Japanese if they would be satisfied with a treaty which acknowledged in its preamble the inherent equality of sovereign rights but which would establish respective maximum programs worked out at the existing levels.

^{6a} British Secretary of State for Foreign Affairs.

On November 8, Davis was informed by Craigie⁷ that the formula referred to by Simon had been proposed to the Japanese.

On November 13, Simon told Davis that in addition to the face-saving device which the British had proposed, they had made inquiry of the Japanese with regard to a nonaggression pact about which Hirota^{7a} has thrown out suggestions from time to time. Sir John had told the Japanese that Japan could not expect Great Britain to enter into an Anglo-Japanese nonaggression pact without the United States, nor could the British enter into such a pact without knowing whether the policies of the participants in it were such as not to provoke aggression. Great Britain was interested in Chinese independence and in the open door, and the British wished to know whether Japan contemplated complete assurance with regard to these points in a proposed pact.

On November 14, the Department advised Davis that he should assume a receptive attitude only in any further discussion on a non-aggression pact and give evidence of no particular interest; that any proposal for a pact of this type should include at least the five powers, among them China, who were most concerned and also a definition of aggression and prescriptions of limitation upon the use of force by any power against another or in the territory of another.

On November 15, there was a further meeting between the British and the Americans. The former pointed out that in the face of Japan's impending denunciation of the Washington Naval Treaty, there were three courses that might be taken: (a) Discussion of a new treaty containing a face-saving device and embodying all the principles of the Washington Treaty; (b) recognition of the situation presented and inaction as to any commitments at present; (c) attempt to come to an agreement which would salvage as much as possible of the Washington and London naval treaties.

On November 17, the Department informed Davis that it was our feeling that the scope of the present conversations did not include the negotiation of a new agreement, based on new principles. It was suggested (our No. 22, November 15⁸) that, if the discussions should turn in the direction of termination of the conversations now taking place, the Department felt that while on the one hand it was important to preserve at least the form of a mere suspension of conversations, on the other it was equally important not to bind ourselves to resume them at a definite date irrespective of developments in the future.

⁷ Robert Leslie Craigie, Assistant Under Secretary of State, British Foreign Office.

^{7a} Koki Hirota, Japanese Minister for Foreign Affairs.

⁸ Not printed.

Davis reports that although reports are carried in the press that the Japanese have rejected the British "middle course" feelers, he has not yet been officially informed of their rejection.

HULL

500.A15A5/280a : Telegram

*The Secretary of State to the Chairman of the American Delegation
(Davis)*

[Paraphrase]

WASHINGTON, November 22, 1934—8 p. m.

34. Referring to our today's teletype conversation. It is still our opinion that the course, potentially most advantageous, would be that the Japanese, in view of their intention to denounce the Washington Treaty, be given no encouragement to expect any concessions or to expect the conclusion of a new treaty in substitution for the Washington Treaty; and that the Japanese, as a result of the British and ourselves showing no further solicitude in that connection, be forced to make the denunciation solely on their own responsibility and at a moment, between now and the end of December, of their own choosing.

Insofar as concerns the situation in Japan and in the Far East in general, as distinguished from considerations of internal British politics, we believe that the tactics of exploring possibilities regarding substitutes, et cetera, has already been and would continue to be, if pursued, of less advantage than disadvantage. The same is also true of the situation in the United States.

The end of the first phase would properly be brought about by a clean break through denunciation by the Japanese. To proceed at once with what would be in fact new conversations looking toward a new objective would mean that we had conceded the fundamental Japanese demand in the present conversations, that is, that the existing ratios be given up. Moreover, an immediate beginning of new conversations or negotiations would establish a bad precedent and have a very bad psychological effect. It would mean that the Japanese had been granted a substantial gain and there would be no opportunity for the development which is envisaged by us as likely within a reasonably short time, that is, an approach by the Japanese on their own initiative requesting further naval limitations discussion, resulting in the creation of a setting for such discussions favorable to the viewpoint that naval limitation is desirable. Should our expectation of such a development be disappointed, as time goes on, there is nevertheless, before the termination of existing treaty obligations, a period of two years during which it will be possible to revise plans and estimates.

Therefore, it is not our belief that further British exploration of the "middle course" would be of any practical value unless it is envisaged that it is to be carried out solely for the purpose of filling in the time until such moment as the Japanese, through denunciation of the Washington Treaty, assume the responsibility of breaking off the first phase. Even under those conditions we consider the policy hazardous in that it encourages Japan to believe that the British and perhaps the Americans are unduly perturbed in the face of her apparent determination and her strength. In addition, it would continue to offer opportunity and possible material for suspicion and propaganda.

It is not possible for us to see how the present conversations could either be turned into or immediately followed by negotiations, without the British and American Governments, *ipso facto*, making concessions, both in principle and in fact, to the Japanese, resulting in the Japanese making definite gains both in appearance and in fact without having made any concessions.

HULL

500.A15A5/281 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

LONDON, November 23, 1934—9 p. m.

[Received November 23—7:34 p. m.]

52. My conversation this morning with the Prime Minister and Simon was satisfactory.

Simon gave an outline of the recent Anglo-Japanese conversations, in the course of which Matsudaira, in substance, had stated that: (1) Japan would be unable to accept a contractual limitation of her building program below the common upper limit, although she did not intend to build entirely up to that limit; (2) Japan would find difficulty in agreeing to qualitative limitation without quantitative limitation; (3) Japan would probably be prepared to "negotiate" a continuance of the nonfortification provision, although Matsudaira admitted that he had no definite decision of his Government on this point; and (4) Japan was prepared to agree not to denounce the Four-Power Treaty^a for the period of a new naval agreement.

Simon added that Matsudaira had very confidentially referred to Japan's isolated position with reference to denunciation of the Washington Treaty, and had inquired whether it was really necessary that

^a Signed at Washington, December 13, 1921, *Foreign Relations*, 1922, vol. I. p. 33.

Japan should denounce it single-handed, from which Simon inferred that he had been instructed to find out whether Britain would join in denunciation. Simon replied that Japan had voluntarily announced her arbitrary decision to denounce the treaty before the end of 1934 and that Great Britain could not consider joining in it.

I then summarized to the British the pertinent portions of my recent cables to you setting forth my understanding of the British position and my conviction that they would not enter into any agreement with Japan without the United States, in order that there should be no doubt as to whether I had correctly understood and reported their views. Both MacDonald and Simon declared that my summary and analysis of the British views was accurate in every respect. I presented in substance your views, particularly as set forth in your No. 34 of November 22, and emphasized the inadvisability of negotiating a substitute treaty with the hammer of denunciation of the Washington Treaty hanging over our heads, and that the best hope of an ultimate agreement lay not so much in the search for some formula to satisfy Japan as in Anglo-American cooperation.

The Prime Minister and Simon categorically and, I am convinced, sincerely agreed that it was vital to continue and strengthen Anglo-American cooperation, but without giving grounds for extremists in Japan or sympathizers in England to raise the cry of a common front hostile to Japan. They felt they must avoid the charge that the possibilities of an agreement had been destroyed, not so much through Japanese intransigence, as through lack of patience on the part of the United States and Great Britain. They said they were now satisfied there was no essential difference between the two Governments as to the fundamental issues and that it was simply a question of immediate method. In substance they favored stalling along "to give Japan enough rope". They did not feel it would be wise to break off negotiations immediately, for apart from the English political and public opinion they had to satisfy, there were the further questions, already posed to Japan, for instance, as to the nonfortifications provision, and as to Japan's policy toward China, and they would obviously have to await an answer. MacDonald said that he did not agree with my estimate as to the effect in Japan of sending them home empty handed, that there were some who felt that the Japanese militarists would like to tear up the treaty and not be bound in any respect whatever, and that it would be helpful to the moderate element as opposed to the military element for us to try to find some form of agreement. Simon suggested that this point might be discussed confidentially with Matsudaira. MacDonald continued that the Cabinet were completely preoccupied at the moment with the debate on the India report, which would reach its most critical stage next week, and which was of vital im-

portance to the national Government. In addition, preparations for the royal wedding were also taking a great deal of their time. Finally, they argued that even if the present conversations were to end now, the United States delegation must remain here to consider with them our respective naval policies and attitude in the future, with particular reference to any new conference arising under the Washington Treaty. MacDonald said definitely he hoped that if the Washington Treaty system were scrapped, and the two nations were faced with a dangerous situation in the Far East, we would be more generous to England in the matter of tonnage.

I stated that we had no wish to break off the negotiations hastily, but that instead of trying to reach an agreement now it would be advisable to impress the Japanese with the seriousness of the situation they were creating, and to point out to them that it was not merely a question of naval limitation, but that by denouncing the Washington Treaty they were placing in jeopardy the entire collective system which had been set up by the Washington Conference for the promotion of peace and stability in the Far East. MacDonald said that he had taken this position for some time, and Simon pointed to his statement in the House yesterday, particularly where he had said that Great Britain "would regard the breakdown of the system of naval limitation as a great disaster for everybody." I suggested that we might even consider bringing about a termination of the conversations with a statement of such a friendly and pacific nature that it would appeal to the moral sense of the entire world and at the same time could not possibly be taken amiss by the military party in Japan, while greatly assisting the moderate element.

[Paraphrase.] The British have not stressed so strongly at any time in the earlier conversations their seemingly most genuine reasons for pursuing the talks with the Japanese, but they were willing to give more weight and consideration to our arguments and were much less insistent upon endeavoring to arrive at an agreement with the Japanese now. They said in fact that we should be able to reach a complete meeting of minds on this matter within a few days.

They have not expressed so forcibly at any other meeting the regret which they would feel regarding a withdrawal on our part during the life of the conversations, beyond the limited holiday period at Christmas time which might be agreed upon. [End paraphrase.]

At the conclusion of our conversation, Simon mentioned the possibility of my making a statement to the press, expressing my appreciation and support of his remarks on the naval conversations in the House yesterday, and it was agreed that I should make an appreciative reference along these lines in the course of my press conference this evening.

600.A15A5/281 : Telegram

*The Secretary of State to the Chairman of the American Delegation
(Davis)*

[Paraphrase]

WASHINGTON, November 26, 1934—7. p. m.

37. With reference to your telegram of November 23, 9 p. m., No. 52. The conversation which you had with Simon and MacDonald definitely shows that the American and the British positions more nearly approach each other than for some time and I am encouraged correspondingly. The tone of press comment regarding Anglo-American cooperation is favorable also. As is shown by the attitude of Matsudaira, the Japanese are showing signs, at the thought of their isolated position, of being worried and nervous. The more they are uneasy, the sooner they may become willing to approach in the spirit of cooperation the problems involved. For the last three years, with conspicuous lack of success, the idea has been tried that the moderate Japanese element, now silent and in eclipse, would, through concessions made to Japan, be encouraged to oppose the Japanese military elements. According to our belief and information, furthermore, military psychology and military elements are stronger today in Japan than has been the case for a long time.

It is not possible to say that lack of patience has been shown by us. Every opportunity to present the Japanese case has been given them.

The British point of view that conversations should not be broken off right away has been accepted by us, even though public opinion has been somewhat confused as a result, and the fact that it is Japan which desires to do away with the treaties and the principles of limitation on which they are based has been obscured. Until the Japanese denounce the Washington Treaty we are prepared to continue the London conversations. The "life of the conversations" to which MacDonald has referred will thus have been terminated, and thereby the conversations will have been broken off by Japan's own act. Immediately after or at the time of Japanese denunciation, which should place clearly upon the Japanese the blame for a breakdown of the present negotiations, a statement of the type which you suggest in the sixth paragraph of your telegram No. 52 might well be made. You might find some occasion, at the same time or even earlier perhaps, publicly to emphasize the fundamental difference between equality of security and equality of armament, indicating that during these conversations our efforts have in a most friendly way been directed toward the maintenance of the standard of equality of security. Should you have any concrete suggestions regarding the way to block out such a statement so as best to convey the impressions you had in mind I should be glad to receive them. It would seem that a joint statement by the Ameri-

can and British delegations would be called for, if a tripartite statement cannot be agreed to.

In all events, it is our feeling that you should refrain from doing anything which would diminish the embarrassment of the Japanese, as the time of denunciation approaches, or which would associate the British and ourselves with the act of and responsibility for denunciation.

HULL

500.A15A5/293 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, November 30, 1934—9 p. m.

[Received November 30—4:45 p. m.]

55. This afternoon Matsudaira called to bring me abreast of his recent conversations with the British. The Japanese Government, he said, had not yet come to a final conclusion on the "middle course" proposals of the British, but had instructed him to inform the latter that Japan was prepared to continue to explore the possibilities of agreement along the lines of what the British had suggested. He had brought up in discussion the possibility of a long-term treaty which would embody the principle of equality that was a part of the British formula. The naval construction programs to be annexed to the treaty would be fixed, however, for a five-year period only, as Japan, while recognizing that her proposal for a common upper limit would not be found acceptable, and while she was not expecting to reach that limit for years to come, if ever, did not wish to commit herself indefinitely to principle of an inferior ratio.

Simon, who was absent from London yesterday, has asked that I see him tomorrow.

DAVIS

500.A15A5/295 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, December 1, 1934—9 p. m.

[Received 10:49 p. m.]

58. I was informed by Sir John Simon today of the last conversations which he had had with the Japanese delegation, which conversations substantially confirmed what had been told me by Matsudaira (reference is made to my telegram No. 55 of November 30), with the following additions to my conversation.

Yamamoto, replying to a question put by Simon as to whether the building programs of the Three Powers would be kept on parallel lines, stated that Japan felt that the American and British programs might be lowered by degrees and the Japanese program increased by degrees so that ultimately they might reach the same level in the course of years. Since he could not accept such a contention, Simon did not pursue the subject further.

With regard to the inquiry he had made concerning the integrity of China, Simon told me that he had received no satisfaction from the Japanese. Simon was informed by Matsudaira that of course there was no intention whatever on the part of Japan of interfering in China with British interests. The reply made by Simon was that he was not asking Matsudaira about British rights but that he would like to know, since Great Britain was a party to the Nine-Power Treaty⁶⁶ which gave her certain responsibilities and rights, what the Japanese policy was to be with regard to the integrity of China, entirely apart from the question of Manchukuo. No satisfactory nor clear-cut reply was received by Simon.

The impression made upon me by Simon was that he felt less hopeful concerning the possibility of agreement with Japan than heretofore and he stated specifically that it was going to be difficult and embarrassing for the Japanese to give satisfaction concerning China, to which considerable importance was attached by Great Britain. Our information, I told him, was that Japan was increasingly embarrassed as concerned denunciation and that we considered it essential that neither the British nor ourselves should do anything to relieve the Japanese of this embarrassment by reaching any agreement with them beforehand which would only serve as a cushion to break the fall of the Japanese. Agreement as to this was indicated by Simon.

Regarding another meeting between our two delegations, Simon stated that he would speak to MacDonald concerning this and would probably inform me on December 3 as to the Prime Minister's decision.

DAVIS

500.A15A5/310 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, December 5, 1934—7 p. m.

[Received 3:45 p. m.]

66. This morning I made a visit to Matsudaira and informed him that whenever Japan gives notification of denunciation, on or before

⁶⁶ Signed at Washington, February 6, 1922, *Foreign Relations*, 1922, vol. I, p. 276.

December 31, the United States will construe this as tantamount to a termination of the negotiations and will expect adjournment to take place immediately thereafter.

In replying, Matsudaira stated that it had been his assumption that as it was compulsory under the Washington Treaty to call a conference within a year after denunciation, the United States would continue the conversations as preparatory to this meeting. My reply was, would Japan wish, under the terms of the Washington Treaty, to request a conference. Matsudaira said he doubted this, because the inference would be that the Japanese had receded from the position taken by them. The other powers for like reasons might possibly feel the same way, I stated. The hope was expressed by Matsudaira that we might succeed in laying the basis of an understanding which would enable us to reconvene within the next few months and thus avoid embarrassment to the Governments interested in the matter. I informed Matsudaira, in conclusion, that while I had no desire to say anything which might influence in one way or the other the Japanese Government, I was of the opinion that I should let him know that until his Government wished to terminate the conversations they should not denounce the treaty. Matsudaira stated that he was glad to learn of this and that, although the Japanese Government could not delay denunciation beyond December 31, he did not believe that denunciation would be made in less than two weeks.

DAVIS

500.A15A5/321½

*Speech Delivered by Mr. Norman H. Davis at London on
December 6, 1934*¹⁰

There seems to be some confusion of thought with regard to the matters at issue in the naval conversations, arising primarily from lack of clear understanding of the fundamental difference between "equality of security" and "equality of armaments".

The difficulties in the present conversations cannot be understood without appreciating what took place at the Conference held in Washington in 1922, which was the first successful effort ever made to reduce and limit navies.

The object of that Conference was to put an end to a ruinous naval race that was impeding recovery from the World War, and to establish a sound basis for peace in the Pacific and the Far East.

It was at that time recognized and admitted by the representatives of Great Britain, Japan, and the United States,—the three naval powers most directly concerned,—that it was not possible to reach

¹⁰ At a luncheon given by the Association of American Correspondents in London to the members of the American delegation in the preliminary naval conversations.

agreement through an academic discussion of what each country considered its needs to be or what it required to satisfy national pride.

Experience having indicated that a satisfactory solution of the problems of political stability and of relative naval strength could not be expected through a continuance of the naval race, there were sought agreements with regard to political questions together with naval questions, on a basis of which not only could political stability be attained and the naval race be brought to an end but naval strength be reduced. The principle adopted was that of equality of security.

In order that each nation might be warranted in subscribing to qualifications of its sovereign right to maintain such a Navy as it saw fit and at the same time feel reasonably ensured against aggression, there was concluded a group of agreements, the purpose of which was to remove the causes and the incentive for aggression by establishing a collective system for cooperation among the nations concerned in promoting and maintaining conditions of peace in the Pacific and the Far East. These agreements established an equilibrium of political and economic rights and made possible naval limitation on the basis of essential equality of security. The Washington Conference was a success because the nations represented there approached in a broad and practical way the problems that confronted them. No nation attempted to impose its will on the others, but each was willing to contribute something substantial to the achievement of the ends desired. At that time the United States had actually under construction tonnage which would have given her naval primacy but which in the interests of international limitation of armaments and a generally agreed upon policy of cooperative effort was voluntarily relinquished.

The United States does not believe and does not contend that any Power should against its will enter into or renew a treaty the provisions of which it does not consider advantageous to itself or beneficial to the world in general. It would, however, greatly regret and regard as most unfortunate the destruction of this system of naval limitation which has proved generally beneficial and which has not jeopardized the security of any nation. We do not question, in fact we affirm the inherent right of any and every Power to equality of security. This, I am sure, we have made abundantly plain. The essence of the Washington treaty system was equality of security under conditions of cooperation. The provisions of the treaties negotiated and agreed upon in 1922 were worked out by leading statesmen of nine Powers assisted by a large number of political and technical experts, working over a period of several months. They were agreed upon and ratified by nine governments and were later adhered to by five others. The naval treaty was the work of five principal naval Powers, Japan, Great Britain, France, Italy and the United States. None of these could have

accepted and agreed to the provisions of that treaty had it felt that its national security was thereby menaced or impaired. Any basic alteration in this system must of necessity alter the security thus established.

The fundamental issue in the naval conversations now in progress is essentially as follows: Is the equilibrium that was established by the system worked out in the Washington treaties to be continued or is it to be upset. The American Government stands for continuance. The only alternative that has so far been suggested is that of a new naval agreement based on the principle of equality in naval armaments, a principle which if adopted and applied would not give equality of security.

The United States favors a progressive reduction in naval armaments in accordance with the principles established in both the Washington and London Treaties, and, under instructions from the President, I have proposed a substantial all-around reduction in naval armaments to be effected in such a way as not to alter the relative strengths or to jeopardize the security of the participating nations as established by these treaties. Failing agreement upon any reduction, I have made known that we would nevertheless be prepared to abide by the Washington Treaty and to renew the London Treaty with only such modifications in detail as circumstances require and as meet the whole-hearted support of the other parties thereto.

We believe that only by maintenance of the system of equality of security, with proportionate reductions downward of naval strength if possible, can there be maintained the substantial foundation for security and peace which has thus far been laid. We believe that the course taken in 1922 was in the right direction; that the supplementary agreements made in 1930 were an improvement; that the system thus established has been of advantage to all concerned; and that abandonment now of the principles involved would lead to conditions of insecurity, of international suspicion, and of costly competition, with no real advantage to any nation.

500.A15A5/333 : Telegram

*The Secretary of State to the Chairman of the American Delegation
(Davis)*

[Extract—Paraphrase]

WASHINGTON, December 15, 1934—6 p. m.

55. Reference is made to your telegram of December 15, 8 a. m., No. 74.¹¹ We are prepared, subject to an advance agreement regarding

¹¹ Not printed.

a satisfactory communiqué, to accede to the British idea of bringing the present conversations to an end through a tripartite meeting on December 19 or 20. That time will be close enough to the Japanese denunciation to render the connection between the two events clear in the mind of the public without the necessity of its being stressed openly. Our meeting the British on this basis should render it easier for them to meet us in our preoccupations concerning the communiqué's contents.

HULL

500.A15A5/375

*Appendix to Memorandum of Meeting of the American, British, and
Japanese Delegations*

COMMUNIQUÉ

A meeting took place at the House of Commons this afternoon, under the Chairmanship of the Prime Minister, to discuss matters connected with the adjournment of the Preliminary Naval Conversations. The following were present at the meeting:—

United States:	Mr. Norman Davis, Admiral Standley, Mr. Ray Atherton, Mr. Dooman, Commander Schuirmann, Lt.-Commander Duncan, Mr. Field, Mr. Reber.
Japan:	Mr. Matsudaira, Vice-Admiral Yamamoto, Mr. S. Kato, Captain Iwashita, Mr. Mizota.
United Kingdom:	The Prime Minister, The Secretary of State for Foreign Affairs, The First Lord of the Admiralty, Admiral Sir Ernle Chatfield, Sir Warren Fisher, Vice-Admiral Little, Mr. Craigie.

At the end of the meeting the following communiqué was issued.

The naval conversations, which were started last June, and, after a recess, have been proceeding since October 23rd, are agreed by the representatives of all three Governments to have served a useful purpose. These conversations, which were initiated under the London

Naval Treaty of 1930, became broadened in scope in the light of proposals and suggestions subsequently made. Every aspect of the naval problem has been discussed between the parties frankly, fully and amicably. It was never the purpose of these preliminary conversations to reach any hard and fast conclusion: the sole purpose was to prepare the ground for future negotiation and agreement. The French and Italian Governments, who were also signatories of the present naval treaties and were associated with the discussions in the summer, have been kept informed of all developments.

Although the three Governments represented in these conversations are in favour of a continuation of naval limitation with such reduction as can be agreed upon by all the Powers concerned, the principle and methods for achieving this in the future remain to be determined. Now that the respective views have been made known and fully discussed, the conversations have reached a stage when it is felt that there should be an adjournment in order that the delegates may resume personal contact with their Governments and the resulting situation can be fully analysed and further considered. It has therefore been agreed to adjourn the conversations at this point.

The Governments concerned in the London conversations will keep in close touch with each other and with the other Governments which are parties to the London and Washington Naval Treaties. The adjournment will also give His Majesty's Government in the United Kingdom an opportunity for further consultation with the Governments of the Dominions. It is hoped that, in view of the preparatory work accomplished during the conversations which have already taken place, the situation will so develop as to justify a subsequent meeting as soon as the opportune moment arrives. In that event the Government of the United Kingdom which initiated the present conversations, will take the appropriate steps.

19 DECEMBER, 1934.

500.A4B/588: Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, December 19, 1934—7 p. m.

[Received December 19—7:18 a. m.]

280. This morning the Privy Council in Plenary Session gave unanimous approval to the Government's decision to abrogate the Washington Naval Treaty and so advised the Emperor. The draft instructions to Saito,¹² I understand, will be submitted to the Cabinet

¹² Hiroshi Saito, Japanese Ambassador to the United States.

either December 21 or 22, but when the formal notice will be conveyed to the Department is not yet decided.

It is my impression that Hirota desires to delay, if possible, the formal notice of abrogation until after the adjournment of the present conversations in London in order to avoid the charge that they were disrupted by Japan's action.

GREW

500.A4B/603

The Japanese Ambassador (Saito) to the Secretary of State

No. 250

WASHINGTON, December 29, 1934.

SIR: I have the honor, under instructions from my Government, to communicate to you the following:—

In accordance with Article XXIII of the Treaty concerning the Limitation of Naval Armament, signed at Washington on the 6th February, 1922, the Government of Japan hereby give notice to the Government of the United States of America of their intention to terminate the said Treaty, which will accordingly cease to be in force after the 31st December, 1936.

Accept [etc.]

SAITO

500.A4B/604

The Japanese Ambassador (Saito) to the Secretary of State

NOTE VERBALE

WASHINGTON, December 29, 1934.

I have been telegraphically instructed by Mr. Hirota to say to you, on the occasion of handing you the written notice of the intention of the Japanese Government to terminate the Washington Naval Treaty of 1922, in the following sense with suitable amplifications:—

As has already been made known to the American Delegation in London, the basic policy of the Japanese Government in the present disarmament negotiations consists in the discontinuance of the ratio system and the total abolition or the utmost limitation of aggressive war vessels. From that point of view, the Japanese Government considers it inadmissible to have the Treaty continue in force.

The Japanese Government entertains the desire that the preliminary negotiations shall be conducted in the friendliest spirit possible and, to that end, wished that all Powers concerned would conjointly make the notification of treaty termination. The proposal has not been accepted by any of the Powers, and the Japanese Government has been constrained to act singly in giving notice in accordance with the provisions of Article 23 of the Treaty itself.

It is, however, a matter of course that the Japanese Government has no intention whatever to proceed to naval aggrandisement or to disturb international peace. It will continue in its sincere endeavors to strengthen the relationships of peace and amity among all Powers, by participating as heretofore in the friendly negotiations with the other Powers concerned in which it will strive for the conclusion with them of a new agreement, just, fair and adequate in conception and consonant with the spirit of disarmament, to replace the Washington Treaty.

500.A4B/603

The Secretary of State to the Japanese Ambassador (Saito)

WASHINGTON, December 29, 1934.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of December 29, informing me that the Government of Japan gives notice to the Government of the United States of America of its intention to terminate the Treaty limiting naval armament signed at Washington on February 6, 1922, which will accordingly cease to be in force after the thirty-first of December, 1936.

In accordance with the pertinent provision of Article 23 of the Treaty, I am today transmitting to the other Powers a certified copy of this notification and am informing them of the date on which it has been received.¹⁴

Accept [etc.]

CORDELL HULL

500.A4B/603: Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, December 29, 1934—5 p. m.

218. The following was released to the Press this afternoon:

"Statement of the Secretary of State relative to the Japanese Government's notice of intention to terminate the Washington Naval Treaty:

The American Government has today received the Japanese Government's notice of intention to terminate the Washington Naval Treaty. We, of course, realize that any nation has the right not to renew a treaty; also that any movement toward disarmament to be successful must rest on agreements voluntarily entered into. This notification is none the less a source of genuine regret to us, believing as we do that the existing treaties have safeguarded the rights and promoted the collective interests of all of the signatories.

¹⁴ Notes to the British, French, and Italian Ambassadors, and the Canadian and South African Ministers, not printed.

The recent conversations at London which have been carried on in a spirit of friendship and goodwill have revolved around the question whether a movement of international cooperation and disarmament can rest on the principle of equality of armament rather than on the principle of equality of security. Each nation naturally desires,—and we stand unalterably for that view,—to be on a basis of absolute equality with other nations in the matter of national security. Experience teaches that conditions of peace or measures of disarmament cannot be promoted by the doctrine that all nations, regardless of their varying and different defensive needs, shall have equality of armaments. What has been achieved up to the present time toward insuring conditions of peace has been based on a community of objective, a community of conception of the general interest, and a community of effort. The treaties thus far concluded have involved no invasion of the sovereign rights of the participating governments and they have provided, with all proper respect for such sovereign rights, that the armaments of the participating nations be established by voluntary undertaking on a proportionate basis.

Notice of intention to terminate the Washington Naval Treaty does not mean that that Treaty ceases to be in effect as of the date of notification: the provisions of that Treaty remain in force until the end of 1936. There consequently remains a period of two years within which the interested nations may consider the situation that would be created by the abandonment of the naval treaties; and the American Government is ready to enter upon negotiations whenever it appears that there is prospect of arrival at a mutually satisfactory conclusion which would give further effect to the desire of the American Government and the American people—and, it is believed, that of the other Governments and peoples concerned—that the nations of the world shall not be burdened by avoidable or extravagant expenditures on armament.

The question presented, when the Washington Treaties were negotiated and which prompted each delegation to the signing and each country to the ratifying of those treaties, was that of promoting peace through disarmament and cooperative effort along certain defined lines. The objectives then and there envisaged are still fundamental among the objectives of the foreign policy of the United States. To this high purpose the people of this country, in a spirit of sincere friendship toward all other peoples, will continue unswervingly to devote their own efforts, and earnestly invoke like efforts on the part of others."

HULL

WITHDRAWAL OF JAPAN FROM THE LONDON NAVAL CONFERENCE OF 1935 ¹⁵

500.A15A5/502 : Telegram

*The Secretary of State to the Ambassador in Great Britain
(Bingham)*

WASHINGTON, October 3, 1935—7 p. m.

284. Yesterday the Japanese Ambassador called and stated that his Government had received word from the British Government that they were discussing with us the pros and cons of a conference. The Ambassador asked to be informed with regard to (1) our attitude toward a conference and (2) our attitude toward qualitative limitation. I told the Ambassador that as far as our position was concerned we had made no change from the attitude we had taken generally in the bilateral conversations in London and there were no new developments since then with respect to a conference which the other interested Governments did not know. On further reflection, however, it appeared to me to be wise to give the Japanese Government perhaps a slightly more definite reply to their queries and I have this morning asked the Japanese Ambassador to come to the Department and have given him the following information with regard to his two questions:

"We have learned from our Embassy at London that it is the desire of the British to hold a naval conference before the end of the year. We are inclined to concur in the desirability of such a conference, particularly in view of the fact that both naval treaties provide for a conference before the end of this year. We recognize that it would be very difficult, if not impossible, to reach at the present time a comprehensive naval agreement along the lines heretofore followed. It is, however, very important for all naval powers concerned not to permit the naval treaties to terminate completely with the result that the whole naval situation would be thrown open again. It would therefore be the part of wisdom to seek agreements on those elements of the naval question for which a solution can now be found for the purpose of avoiding an unrestricted naval race. We should at least be able to tide the situation over for a brief period in the hope that by that time circumstances will be more favorable for a more comprehensive agreement.

¹⁵ See also Department of State Conference Series No. 24, *The London Naval Conference 1935, Report of the Delegates of the United States of America, Text of the London Naval Treaty of 1936 and Other Documents* (Washington, Government Printing Office, 1936).

"As to qualitative limitation, it is still our view that both quantitative and qualitative limitation should be continued. In view of the fact that the questions that have arisen between the naval powers relate more to quantitative limitation than to qualitative limitation, it should not prove particularly difficult to work out for a limited period a mutually satisfactory understanding for continuing existing types with such reductions or modifications as might be found desirable and mutually agreeable."

You may convey to the British Government my reply as given above to the Japanese Ambassador, as I told the Ambassador that I was today informing the British Government of my response to his inquiry.

HULL

500.A15A5/536

The Ambassador in Great Britain (Bingham) to the Secretary of State

No. 1776

LONDON, October 24, 1935.

[Received November 6.]

SIR: I have the honor to refer to my telegram No. 535, October 24, 4 p. m.¹⁶ and to forward herewith the text of the invitation to a naval conference referred to therein.

Respectfully yours,

For the Ambassador:

RAY ATHERTON

Counselor of Embassy,

[Enclosure]

The British Secretary of State for Foreign Affairs (Hoare) to the American Ambassador (Bingham)

A 8984/22/45

[LONDON,] 24 October, 1935.

YOUR EXCELLENCY: His Majesty's Government in the United Kingdom have been giving careful consideration to the results of the preliminary bilateral conversations which have been proceeding between representatives of the signatory Powers of the Washington and London Naval Treaties¹⁷ to prepare the way for a Naval Conference. In view of the express provisions of Article XXIII of the Washington Naval Treaty and of the corresponding article in the London Naval Treaty, the effect of which is, in the circumstances which have occurred, that the signatory Powers must meet in conference during the present year, and in view of the fact that this country has so far taken the initiative in arranging for these bilateral discussions, His Majesty's Government are prepared to summon a Conference to meet

¹⁶ Not printed.

¹⁷ Department of State Treaty Series Nos. 671 and 830, respectively.

in London on the 2nd December next.¹⁸ The purpose of this Conference would be to secure agreement on as many aspects as possible of naval limitation with a view to the conclusion of an international treaty which would take the place of the two Naval Treaties expiring at the end of 1936. It is hoped that, once agreement is in sight between the representatives of the signatory Powers, an extension of the scope of the Conference may be possible so as to include representatives of the other naval Powers.

2. I should be grateful if Your Excellency would be so good as to inform me as soon as possible whether the United States Government are prepared to be represented at the proposed Conference.

3. I have the honour at the same time to suggest that it may prove convenient to all concerned and may serve to keep the size of each Delegation as small as possible if Your Excellency's Government and the Governments of France, Italy and Japan were to be represented by their Ambassadors in London. It would furthermore be very desirable that there should be present at the Conference from the outset naval representatives or advisers of sufficient rank to speak authoritatively on behalf of their respective Governments.

I have [etc.]

(For the Secretary of State)

R. L. CRAIGIE

500. A15A 5/549

The Chargé in Japan (Neville) to the Secretary of State

No. 1539

TOKYO, November 2, 1935.

[Received November 18.]

SIR: I have the honor to observe that with Japan's acceptance on October 29 of the British Government's invitation to participate in the formal naval disarmament conference required by the Treaties, and which is to be held on December 2, next, the attitude of the Japanese Government is one of quiet assurance and satisfaction that everything possible has been done to protect Japan's interests in the field of naval affairs. The Government can point to a course of action since the question became active in June, 1934, of consistency and of singleness of purpose surely impressive enough to satisfy the most ardent chauvinist in the navy. When Japan was first approached on the question of her naval policy she established the principle that the basis of all future discussion and the prime requisite for any agreement with the Powers was to be the abolition of the ratio principle and the establishment of a common upper limit of global tonnage; and now, on the eve of the Conference, and after some eighteen months of discussion during which British efforts were directed toward finding some formula for effecting a compromise between the fundamentally

¹⁸ The opening date of the Conference was later postponed to December 7, 1935.

divergent views held by the three major powers, the situation remains unchanged so far as Japanese policy is concerned.

In reviewing the most recent events leading up to the final acceptance by Japan of the invitation to participate in the Conference next month it is interesting to observe the recurring differences which cropped out between the views of the Navy Ministry and those of the Foreign Office, differences which, it will be recalled, occurred last year in the question of when Japan should give notice of abrogation of the Washington Treaty.¹⁹ Once more, while it was more a question of differences of method rather than of objective, it seems clear that the influence of Mr. Hirota was successful in restraining the more unyielding attitude apparently adopted by the naval authorities regarding the question of participation in the Conference. While it has been felt that Japan would participate, and in fact was anxious to have the Conference held in accordance with the terms of the Treaties, there remained the question of the terms upon which she would consent to negotiate.

On September 26, last, when Great Britain first approached the Japanese Government inquiring as to its willingness to participate, it was reported that the Government's attitude at that time was to the effect that "Japan sees no value in a conference not committed beforehand to negotiations of a naval limitation agreement based upon proposals offered by the Japanese delegates at the preliminary conversations of last year. The British plan for unilateral declaration of building plans up to 1942 is not acceptable to the Japanese Government. No other formula has been devised to solve the conflict between Japan's desire for a common upper limit and the United States' desire for the virtual retention of the existing ratios". The British note was believed to have represented Great Britain's last attempt to induce the Japanese Government to alter its stand prior to the issuance of the invitations and to have included a proposal that Japan withdraw from her position that the Powers concerned accept her demand for a common upper limit as a prerequisite to Japan's participation in the Conference. The attitude outlined above undoubtedly represented the attitude of the naval authorities and at the time there were hints in the press that the Foreign Office did not entirely share the views of the Navy Department.

On October 10 the Navy Department was reported in the press as stating categorically that "the Ministry must insist upon a previous understanding to abolish the ratio system and to substitute the common upper limit principle" before accepting an invitation to participate in the Conference. However, a few days after this the Foreign Office spokesman stated that while the Japanese Government continued to insist upon the "realization of the proposal broached at the preliminary conversations at London last year" nevertheless the Government was

¹⁹ See pp. 249 ff.

prepared to participate in a formal naval conference "if it is understood that it reserves the right to insist upon the proposals mentioned above. It is prepared to participate because the Conference is called for by the Treaties". It is at this point that what foreign observers have described a "shift of emphasis" first became apparent. That is to say that the hope might be entertained that Japan would accept an invitation to participate without insisting upon previous acceptance of certain conditions laid down by her. This was borne out in the reported reply sent on October 16 when the Japanese Government indicated that "Japan is ready to respond to a proposal for the convocation of a formal naval parley in the belief that Japan's equitable claim regarding the naval question will be fully understood and recognized by the Powers during the course of negotiations". This is obviously the formula devised by the Foreign Office authorities to effect a compromise with the Navy Department.

Prior to the official announcement from London that formal invitations for the Conference to be held on December 2 were issued, the Japanese press carried practically no editorial comment on naval affairs. But with the acceptance by Japan on October 29 of this formal invitation the press has indicated its approval of the Government's action although it is unanimous in doubting that any concrete results will be obtained. It seems to be generally agreed that Japan's point of view is about as equally irreconcilable with that of Great Britain as with that of the United States; there is, however, an occasional note of pique directed at the United States for insisting upon the maintenance of the ratio system and a slightly greater understanding of the needs of Great Britain for a larger navy.

While it would be as unwise as it is impossible to predict Japan's course of action at the forthcoming Conference, the Embassy is satisfied that there will be no appreciable alteration of her present stand and that no substantial concessions will be made in an effort either to reach a new agreement or to avoid the entrance upon a non-treaty status at the expiration of the Treaties at the end of 1936.

Respectfully yours,

EDWIN L. NEVILLE

500.A15A5/586a : Telegram

*The Secretary of State to the Ambassador in Great Britain
(Bingham)*

WASHINGTON, November 30, 1935—4 p. m.

373. Following is the text of the opening speech of the American Delegation to the Naval Conference:²⁰

²⁰ Speech delivered by Mr. Norman H. Davis, chairman of the American delegation, at the first plenary session, December 9, 1935.

Mr. Chairman:

In searching for appropriate words in which to express most clearly the attitude and aspirations of the American Government and people in respect to naval disarmament, I find that I cannot improve upon the letter of guidance which the President addressed to me fourteen months ago when I sailed for London to participate in preliminary conversations between the Governments of the United Kingdom, Japan and the United States. That letter, written on October 5th, 1934, was as follows:

"In asking you to return to London to continue and expand the conversations begun last June preparatory to the Naval Conference in 1935, I am fully aware of the gravity of the problems before you and your British and Japanese colleagues. The object of next year's Conference is 'to frame a new Treaty to replace and carry out the purposes of the present Treaty.' The purposes themselves are 'to prevent the dangers and to reduce the burdens inherent in competitive armament' and 'to carry forward the work begun by the Washington Naval Conference and to facilitate progressive realization of general limitation and reduction of armament.'

"The Washington Naval Conference of 1922 brought to the world the first important voluntary agreement for limitation and reduction of armament. It stands out as a milestone in civilization.

"It was supplemented by the London Naval Treaty of 1930, which recognized the underlying thought that the good work begun should be progressive—in other words, that further limitation and reduction should be sought.

"Today the United States adheres to that goal. That must be our first consideration.

"The Washington and London Treaties were not mere mathematical formulae. The limitations fixed on the relative Naval Forces were based on the comparative defensive needs of the Powers concerned; they did not involve the sacrifice of any vital interests on the part of their participants; they left the relative security of the great Naval Powers unimpaired.

"The abandonment of these Treaties would throw the principle of relative security wholly out of balance; it would result in competitive Naval building, the consequence of which no one can foretell.

"I ask you, therefore, at the first opportunity to propose to the British and Japanese a substantial proportional reduction in the present Naval levels. I suggest a total tonnage reduction of twenty percent below existing Treaty tonnage. If it is not possible to agree on this percentage, please seek from the British and Japanese a lesser reduction—fifteen percent or ten percent or five percent. The United States must adhere to the high purpose of progressive reduction. It will be a heartening thing to the people of the world if you and your colleagues can attain this end.

"Only if all else fails should you seek to secure agreement providing for the maintenance and extension of existing Treaties over as long a period as possible.

"I am compelled to make one other point clear. I cannot approve, nor would I be willing to submit to the Senate of the United States any new Treaty calling for larger Navies. Governments impelled by common sense and the good of humanity ought to seek Treaties reducing armaments; they have no right to seek Treaties increasing armaments.

"Excessive armaments are in themselves conducive to those fears and suspicions which breed war. Competition in armament is a still greater menace. The world would rightly reproach Great Britain, Japan and the United States if we moved against the current of progressive thought. We three Nations, the principal Naval Powers, have nothing to fear from one another. We cannot escape our responsibilities, joint and several, for world peace and recovery.

"I am convinced that if the basic principle of continued naval limitation with progressive reduction can be adhered to this year and next, the technicalities of ship tonnage, of ship classes, of gun calibers and of other weapons, can be solved by friendly conference. I earnestly hope that France and Italy, which are full parties to the Washington Treaty, will see their way to participate fully in our efforts to achieve further naval limitation and reduction.

"The important matter to keep constantly before your eyes is the principle of reduction—the maintenance of one of the greatest achievements of friendly relations between nations.

"Sincerely yours,

(Signed) FRANKLIN D. ROOSEVELT."

The views set forth in this letter are still expressive of what the United States would like to see accomplished. Therein, there has been no change. But it would be unrealistic not to recognize that the situation existing at the time the letter was written has undergone considerable modification. The conversations last year were based on the London Naval Treaty, due to expire by automatic limitation at the end of 1936. Since then the Washington Treaty has been denounced and will expire at the close of next year; certain fundamental principles on which both treaties rest have been questioned; in the wake of the political instability in various parts of the world, there is a tendency to increase rather than to reduce naval armaments; and the divergences which have developed are such as to increase the difficulties which confront us in seeking to reach agreement for a comprehensive naval limitation.

The first step towards overcoming these difficulties is to face them frankly. The next step is to concentrate on those fundamental elements of mutual interest and accord which brought us together here and which unite us, despite the real differences that have developed.

Our nations are apparently at one in desiring the continuance of naval limitation and reduction by international treaty—a principle adopted for the first time in history in 1922 and successful for a dozen years beyond any means of measurement. At the time of the Washington Conference we were still in the shadow of the World War. War weary peoples who had experienced the consequences of strife and discord were longing for peace and recovery and praying for an era of stability and good will. The Washington Treaties and the later London Treaty were in harmony with this profound wish. Through them, mankind was freed from the threatening nightmare of a race in naval armaments. Why should we now abandon the invaluable mutual benefits conferred on the participating peoples by the Naval Treaties, when the world is just beginning to emerge from the economic depression which has held it in its grip for the past six years and when it is all the more necessary not further to disturb international relationships and retard or disrupt economic recovery through a naval race? No nation desires to enter such a race—no Government can afford the responsibility for inaugurating it. Our task during the coming weeks is to make it unnecessary.

One means of accomplishing this would be to agree upon a renewal of existing treaties with such modifications as circumstances may require. Failing this we should at any rate make every endeavor, through a frank and friendly exchange of views, to discover other paths to mutual understanding, which would at least prevent a naval race and avoid a disturbance of the equilibrium, and thus pave the way for a later more permanent and comprehensive treaty. Whatever our approach, our objective must be to insure that in the difficult and trying years ahead of us the essential balance between our fleets, which during the past years has proved such a guarantee of peace and stability, should be maintained by means of mutual agreement rather than by expensive and dangerous competition which can profit no one but must harm all.

On behalf of my Government I declare emphatically that the United States will not take the initiative in naval competition. We want no naval increase. We want limitation and reduction. Our present building program, which is essentially one of replacement, is consistent

with this desire. For ten years we ceased naval construction. Under our present plans the strengths allotted to us by the London Treaty as of the end of 1936 will not be attained until 1942. We have no wish to exceed those Treaty limits. I may say also that the United States, which is now definitely on the way to recovery from the severe depression through which it has been going, and from which no nation has escaped, is most anxious to devote its energies and material resources to the upbuilding of the country.

However great the difficulties that confront us in this Conference, we are here to help remove them. With good will and patience on the part of all we can find a mutually beneficial solution. I pledge the American Delegation's full cooperation toward this end.

HULL

500.A15A5/574 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

LONDON, December 7, 1935—8 p. m.

[Received December 7—3:30 p. m.]

4. Following is text of Japanese opening speech, exchanged for ours this afternoon:

"On this felicitous occasion of the opening of the Five Power Naval Conference, I wish to express our deep appreciation of the efforts since last year of the British Government, through whose good offices the Conference has now met in accordance with the stipulations contained in the two naval treaties of Washington and London.

It has ever been the consistent policy of the Japanese Government to maintain and promote international peace. This has been fully evidenced by the fact of our willing participation in the past disarmament conferences, and our sincere cooperation with other powers in those conferences.

Pursuing the same policy, we desire to achieve, in the present Conference, a just and fair agreement on disarmament which will secure for each country adequate national defence and reduce the burden which weighs upon the people, contributing, at the same time, towards the advancement of peace and good will among the nations of the world.

The object of this Conference, we understand, is to conclude a new comprehensive treaty of naval disarmament with a view to regulating the naval strengths of the powers concerned from the year 1937.

Such a new treaty, in the view of the Japanese Government, should be based upon the fundamental idea of setting up, among the great naval powers of the world, a common limit of naval armaments to be fixed as low as possible, which they shall not be allowed to exceed; simultaneously, offensive forces must be drastically reduced and ample defensive forces provided, so as to bring about a substantial measure of disarmament, thus securing a state of nonmenace and nonaggression among the powers.

The Japanese Government firmly believe that this is indeed the best way of reaching a just and fair agreement on disarmament, whereby

the burden of nations may be greatly lightened and a real contribution made towards the durable peace of the world.

The Japanese delegation wish to declare that on such principles as I have outlined, we are prepared to carry on frank exchanges of views with other members of the Conference in a spirit of peaceful collaboration, and to cooperate earnestly throughout with a view to achieving a few comprehensive agreement on disarmament which is at once most fair and rational."

DAVIS

500.A15A5/598

*Memorandum of Conversation Between the American and the
Japanese Delegations*

[LONDON,] December 17, 1935.

Present: Admiral Nagano
Mr. Nagai
Admiral Iwashita
Mr. Terasaki
Mr. Mizota

Mr. Davis
Mr. Phillips
Admiral Standley
Mr. Dooman
Captain Ingersoll
Commander Schuirmann
Mr. Field

In response to a request from Admiral Nagano in regard to the American proposal referred to by Mr. Davis at the opening session of the Conference, Mr. Davis stated that the American proposal might be summarized as a twenty percent all-around reduction in the various categories, such reduction to be applicable also to Italy and France insofar as the limitations imposed by the Washington Treaty upon those countries are concerned, with the proviso, however, that adjustments between categories shall be agreed upon after discussion.

At Mr. Davis' request, Admiral Standley went into the American proposal at great length. In regard to the question of the replacement of capital ships, Admiral Standley referred to the absence of any construction in this type during the past fifteen years and to the necessity of approaching with extreme caution any suggestions looking toward any change in the size of capital ships. He said that the first few vessels to be built under the replacement program would be of a maximum tonnage of 35,000, and that after the experience thus gained by this new construction the United States could be disposed to examine proposals in regard to reducing the size. Mr. Davis added that we were, however, prepared at this time to enter into a discussion in regard to fixing the maximum caliber of guns.

Admiral Standley referred to the statement made yesterday during the meeting of the heads of delegations by Mr. Davis, to the effect that prior to the Washington Conference there had existed a common upper limit, with the sky as the limit. Prior to that

Conference, Japan did not have parity but had built a navy conforming to its needs. Failing any agreement, Japan would have the right to build up to parity with the United States if it could, but Admiral Standley did not doubt but that if Japan were to strive to reach parity with the United States, the United States would also build with a view to maintaining its lead. Such a state of affairs, he pointed out, was obviously not desired by either country, and he wondered whether it would not be possible to form an agreement which, while recognizing Japan's sovereign rights to build as large a navy as it desired, would stabilize strengths at the present comparative levels until such time as a more favorable opportunity might be expected for the discussion of a new naval arrangement.

Mr. Davis remarked that we should not overlook the fact that naval limitation is not a question which lies entirely between the United States and Japan. The naval position of the United States is in a considerable measure dependent upon the naval positions of England and of other European powers, as the United States could not ignore the historical fact that it had unwillingly been drawn into two major European wars.

With respect to the question of security or non-menace and non-aggression, to which Admiral Nagano had made various references, Mr. Davis said that not only had the non-fortification provisions of the Washington Treaty removed the threat of aggression, but the Nine Power Treaty had also been concluded to remove the causes for aggression.²² This had established the foundation on which naval limitation rests. We consider that the Japanese were thus secured against attack from either the United States or Great Britain, and could not understand what there is that has happened to make Japan feel that she is menaced.

Admiral Standley here quoted excerpts of statements made by Kato and Shidehara at the Washington Conference (pages 106 and 380 [378?] of records of Washington Conference²³). Admiral Standley continued that at the London Conference we had made further concessions in the ratio to meet Japanese desires for additional security. As regards the present proposal for a twenty percent cut, it might be pointed out that a reduction in aircraft carrier and destroyer tonnage is contingent on reduction in submarines.

Admiral Nagano reiterated that opinion in his country no longer supported the Washington Treaty. He reminded us that our ideas of disarmament also had undergone modification; for instance, Mr. Hughes had at the Washington Conference opposed the abolition of

²² Treaty signed at Washington, February 6, 1922, *Foreign Relations* 1922, vol. i, p. 276.

²³ *Conference on the Limitation of Armament, Washington, November 12, 1921-February 6, 1922* (Washington, Government Printing Office, 1922).

submarines, whereas we had favored abolition at London. Admiral Nagano assured us that the common upper limit did not envisage giving Japan any opportunity for aggression; on the contrary Japan wanted to make aggression by any power impossible. With respect to the London Treaty, Admiral Nagano declared that former Secretary of Navy Adams had said in the Senate that the American Delegation had succeeded in persuading Japan to accept a proposition almost impossible to accept.²⁴ Both Mr. Davis and Admiral Standley said that if any such statement had been made inferring that Japan was not equally secured it was certainly in error.

Admiral Standley said it had been understood at Washington that every nation was given security in the area in which it had to operate. Japanese waters were made as secure as California waters. However, the United States possessed territories close to Japan with an area as large as Japan's. There are no fortifications there and no submarines. We also had a large territory in Alaska. If we gave Japan parity, she would have absolute superiority in Philippine and Alaskan waters. That would not be giving the United States equality of security. Some people in the United States have said Japan wants to take the Philippines. Japan has never shown any intention to do this any more than we have threatened her. The Government at Washington has done what it could to allay such a misapprehension at home, and we must not allow anything to happen which would bring about a recrudescence of this feeling. The Japanese claims give people who think she wants to take the Philippines or Alaska exactly the ammunition they are looking for.

Admiral Nagano stated that while under the ratio Japan could not possibly menace the United States, the American Navy concentrated in Oriental waters could threaten Japanese security. With respect to the Philippines, it might also be said that the United States had no possessions near Europe, while Europe had possessions near America, and if such geographical aspects were to be taken into account, the situation would become very complex. Japan nevertheless had numerous independent islands off her coast for which she has to find means of defense. She could, therefore, not accept a plan which would permit one power to approach the other, while the reverse was not true. From Japan's point of view the Philippines lay in line of very important waters and hence represented a constant threat. Japan did not want the Philippines but they constituted one reason why she found it difficult to recognize American naval superiority.

Mr. Davis said he did not think the Japanese proposals very fair. At the Washington Conference we had made the greatest sacrifice,

²⁴ See Department of State Conference Series No. 6, *Proceedings of the London Naval Conference of 1930 and Supplementary Documents* (Washington, Government Printing Office, 1931), p. 82.

since we had abandoned an actual program of construction which would have given us in two or three years a navy more powerful than Great Britain's and much more powerful in relation to Japan than under the Treaty. It was not the British who accepted parity, but the United States which granted parity. We did this in the interests of promoting peace, understanding and security. Parity with Japan would not give us equal security since it would deprive us of the power to defend Alaska and the Philippines.

Admiral Nagano did not deny that the Washington Treaty checked a naval race and promoted peace, and he hoped that the friendly situation created thereby by the United States and Japan would continue, but Japan did not want to be placed in the position where the continuance of peace and good will was dependent on another country. Japan was worried, not about the safety of distant possessions, but about the safety of Japan herself.

Admiral Standley said that it seemed apparent that we could not see eye to eye on the question of security and non-menace. The only solution, therefore, would be to continue the Washington agreements temporarily until sometime when we could sit down and go over the various problems without suspicion.

Mr. Davis added that we must find a *modus vivendi* which would avoid both the common upper limit and the ratio. There had been an improvement in Japanese-American relations in the past three years. Japan had nothing material which the United States wanted. The two countries were good mutual customers, and there was more reason for our two countries to cooperate than in the case of any other two nations. The present, Mr. Davis added, was no time to change the naval structure: Italy was making war in Abyssinia; Japanese armies were marching in China, and the American people did not know what this would lead to. Japan was in process of evolution and did not herself know what the outcome would be. The American people were watching to see what would take place. They had shown clearly they did not want trouble with Japan or anyone else. In any case, there was more justification for an increase in the American ratio than in that of Japan, for the United States had certainly done nothing to warrant suspicion. On the other hand, what Japan was doing was a little disturbing to the American people. Mr. Davis then paid tribute to the Japanese people and their great qualities and to their urge for progress which the United States admired but which it desired to see exercised in a peaceful manner.

Mr. Phillips said we did not want to do anything to harm the rapidly growing friendship between our peoples. Parity would certainly set us back and breed suspicion. It would arouse fear and there is nothing more detrimental to friendship.

Admiral Nagano said that Japan no less than the United States

wished to continue to improve friendly relations, but the fact was that Japan felt the pressure of the American Navy which was capable of menacing Japan's very existence. That situation must be altered if Japan is to feel contented in the Pacific.

Admiral Standley, after explaining that he was speaking purely personally and without having discussed it with his Delegation, suggested that the only way to come to a temporary agreement was to take the present structure, with certain modifications as to qualitative limitation, and perhaps to include in a preamble a statement that an adequate navy was the sovereign right of everybody. Such a treaty would include building programs over a period of years in place of the ratio system.

Mr. Nagai at first expressed the fear that any such compromise would again mean the ratio system in disguise. After further explanations by Admiral Standley, he expressed interest in the suggestion on the understanding that it would mean a provisional arrangement for a few years only. The Japanese Delegation indicated that they would think over Admiral Standley's suggestion and give us their views another time.

500.A15A5/589 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, December 17, 1935—10 p. m.

[Received December 17—7:45 p. m.]

22. We had a discussion with the British delegation at the Admiralty this morning, following our meeting with the Japanese, at which we discussed future procedure after exchanging information on our conferences with the Japanese.

Although the Japanese had evidently been sent to London under strict and limited instructions, it would be unwise to press for speed or to attempt to come to any conclusions before the Christmas adjournment was the opinion of both delegations. The Japanese might refuse to enter into qualitative discussions after the holidays, if an attempt were made at this time to end quantitative discussions. The best procedure would be to permit a general discussion of the British proposal for limitation of programs, followed by a discussion of the French proposal for a *pre avis*,²⁵ it was agreed. It is probable that these discussions would not be completed by December 20, and it would seem that the wisest course would be for the chairman to suggest, at an appropriate time in January, that inasmuch as the discussion of quantitative proposals appeared to have been exhausted for the time

²⁵ System of advance notification: *The London Naval Conference, 1935, p. 98*

being, we should now consider other matters such as qualitative limitation without implying that the quantitative question had been disposed of by the Conference.

Since any discussion of programs is bound to lead back again to the ratio question, the British did not appear to have much hope as to the acceptance of their proposal by the Japanese. Notwithstanding, if the Japanese had come to a realization of the material difficulty of trying to achieve equality in fact with Great Britain and the United States and were seeking a way out which would save their faces, a solution might be found along the lines of limitation of programs which without specific ratios would enable the Japanese voluntarily to declare a building program in harmony with the relative strengths formulated.

Some kind of quantitative limitation might serve to make it easier for the Japanese to accept qualitative limitation was also brought out by the discussion. The British suggested, in this connection, that it would be unwise to let the Japanese think that Great Britain and the United States would not take the initiative in building larger and newer types of ships in any case. It might make the Japanese more tractable if we could let the idea get around that we would consider building new types, if there is no qualitative limitation.

The British were informed by Admiral Standley that the Panama Canal would not be an obstacle to building larger capital ships, and Lord Monsell ^{25a} stated that he thought it would be desirable to dispel any illusions on this score which might have been shared with the British by the Japanese.

The opinion was expressed by me that at a later date it would be well for the British and ourselves to inform the Japanese definitely that any change in the relative strengths through the action of one country would certainly be most disturbing to the other countries and that the United States and Great Britain would most certainly match any building done by the Japanese in such a way as to maintain the treaty proportions in force at this time.

DAVIS

500.A15A5/611 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, January 12, 1936—7 p. m.

[Received January 12—10:10 a. m.]

9. The following is for transmission to London for Davis.

(1) After a six-hour conference between the Foreign Office and Navy officials last night the Cabinet approved this afternoon final instruc-

^{25a} First Lord of the British Admiralty and presiding officer of the Conference

tions to Nagano.²⁶ In order to avoid blame for the complete rupture of the Conference, I understand, the Foreign Office was able to secure Japanese continuance therein, although Navy officials were prepared to break it up by withdrawal. Nagano's instructions are to make clear Japan's proposal to provide real reduction, it is reported, but that he will not discuss qualitative apart from quantitative reduction, nor will Japan enter into temporary agreements which would continue inequalities. The Japanese delegates may remain in effect as observers, however, and in the later phase of the Conference when the subject of submarine warfare and other subsidiary subjects are discussed may participate. There has been no definite confirmation of the foregoing report.

(2) While wishing to avoid forcing a formal vote on quantitative limitation which would oblige Japan to withdraw from the Conference and thus accept the onus for a complete break, it is my belief that the Foreign Office will nevertheless welcome a final and definite clarification of the parity issue so that some new program involving political agreements may be set in motion and this chapter closed. . . .

(3) Owing to the discrepancy in views between the Navy and the Foreign Office and the consequent lack of unanimity in the Government regarding methods and tactics, though not in point of general objective, the situation here is shrouded in the usual fog. It is obvious that the Japanese Navy in demanding parity had the American Navy principally in view but neglected to foresee the European complications which their attitude would create. A reconsideration of the parity issue is for them out of the question and, having burned their bridges, we may now expect to see the possibility of finding some alternative of a political nature being explored by the Foreign Office.

GREW

500.A15A5/615 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, January 14, 1936—1 a. m.
[Received January 13—10:45 p. m.]

46. Before dinner tonight, at a two-hour meeting with the British, the Japanese told them, in substance, that as regards the common upper limit they were desirous of having a further discussion and a decision. A postponement of the First Committee²⁷ meeting until Wednesday afternoon was requested by the Japanese, at which time they stated

²⁶ Admiral Nagano, chairman of the Japanese delegation.

²⁷ The First Committee consisted of the entire membership of the Conference in committee of the whole; *The London Naval Conference, 1935*, p. 66.

they would give a fuller explanation of their thesis and that Japan would withdraw from the Conference should this be rejected by the other powers.

Both Monsell and Eden²⁸ told me briefly that "the jig was up," when I saw them later at a meeting. We have arranged to have a further talk with them in the morning, in compliance with their request.

An immediate adjournment of the Conference until later this year was requested by the Japanese who urged the British to agree to this, Eden told me. The British would not agree, Eden definitely told the Japanese; instead, they would propose that the other powers participating in the Conference remain to discuss further a naval agreement to which Japan, if she so desired, might later adhere, Eden said.

I was approached later on by Nagai²⁹ who said he was desirous of telling me personally how deeply he regretted their inability to reach an agreement and that this would necessitate withdrawal from the Conference by the Japanese. Would it be helpful to them to carry the delegates on for another month or so or was there any hope of their reaching an ultimate agreement, I asked him. Their situation at home was such, Nagai said, that they could not come to any kind of agreement now and their only hope was that there would be a change in public opinion in Japan by bringing matters to a head now which might make it possible later on perhaps this year to have a resumption of negotiations. Nothing must be done to disturb Japanese-American relations, Nagai concluded, and that what Japan wanted above all else was to leave the Conference in a most friendly spirit.

DAVIS

500.A15A5/617 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

[Paraphrase]

LONDON, January 14, 1936—7 p. m.

[Received January 14—3:47 p. m.]

47. This morning a meeting was held at the Foreign Office between the British and the American delegates at which the British informed us of their conversation with the Japanese, the substance of which was transmitted to you in my telegram No. 46, today, 1 a. m. While they could not reach any naval agreement after the rejection of the common upper limit, the Japanese had also said they would like before-

²⁸ Anthony Eden, British Secretary of State for Foreign Affairs.

²⁹ Matsuzao Nagai, Japanese Ambassador to France and member of the delegation.

hand, with a view to perpetuating the terms of Part 4 of the London Naval Treaty,³⁰ to discuss rules of submarine warfare. After disposing of the common upper limit the British said they would be very glad to do so. Under the circumstances, the Japanese repeated, they would be unable to remain for any negotiations and they again suggested that the Conference take up first Part 4 of the London Naval Treaty. Everything possible had been done to meet the Japanese wishes, the British replied, but they were not willing to depart to that extent from the procedure.

The Japanese had questioned the legality of continuing the Conference once Japan withdraws, the British then told us, since the Washington Treaty envisages only a conference of the five powers and not a four-power meeting and since the Conference was called under this treaty. In disagreeing with this the British told the Japanese that they could see no reason why the other participating powers should not continue to negotiate a naval agreement since without some sort of new agreement there would be chaos and such an agreement could not become effective until after the expiration of the Washington and London Treaties. The British told the Japanese, furthermore, that the other powers would have in mind the possibility and hope that Japan might ultimately become a party to any agreement they might negotiate. The British definitely expressed the view that the obligation of article 23 of the Washington Treaty was fulfilled by the convocation of the present Conference.

They would have no objection to two or three Japanese observers, the British told the Japanese. (This morning, after some discussion, it was agreed that the Japanese should be allowed to have observers but they would have no right to sit with the expert committees for technical discussions. However, they could be kept informed of the results of these discussions.) We then asked the British for their views with reference to later invitations to Russia and Germany. They were keeping both of these nations informed of what is taking place, they replied, but that Italy and France wished to include Greece, Yugoslavia, and Turkey, in which case it would be necessary to invite also Spain, Holland, and Sweden, and perhaps the South American countries. If once you go beyond the major naval powers, the British said, they were of the opinion that it would be better to include all naval states and that this might be after all of considerable advantage from a practical and psychological viewpoint. Were an agreement to be entered into by all the other naval powers, with the exception of Japan, the effect would be so overwhelming that they believed Japan would desire to join within a short time. With the Japanese out of the Conference the British

³⁰ Department of State Treaty Series No. 830, p. 27.

recognize that many difficulties would arise; but, on the theory that Japan will ultimately want to come in, they believe we should proceed. As a counterpoise to Japan's freedom, an adequate escape clause should be provided in the meantime.

Except perhaps insofar as it might result from the operation of agreed building programs, the British who desire above all qualitative limitation now state that without Japan the last hope of achieving quantitative limitation has gone. This desire on the part of the British for qualitative limitation without quantitative is no doubt partly determined by their wish to bring into agreement France and Italy and their realization that it is now impossible to have a quantitative agreement between France and Italy and also by the fact that the way would be left open for later adherence by other powers by qualitative limitation.

DAVIS

500.A15A5/618 : Telegram

The Chairman of the American Delegation (Davis) to the Secretary of State

LONDON, January 15, 1936—2 p. m.

[Received January 15—11:27 a. m.³¹]

49. At this afternoon's meeting following the Japanese exposition, it is planned that all of the delegations will make final statements in reply.³²

As the Japanese are planning to release their statement immediately after the meeting, we shall do the same with ours. Text follows and you will be notified of the hour of release probably through flash.³³

"The United States has been most desirous of reaching a new agreement for a reduction and limitation of naval armaments to supersede the existing treaties that are to expire at the end of this year. We have, therefore, been willing to discuss any proposals and to explore every possibility of agreement. We have been willing to consider any evidence that might have been presented to the effect that the present relative strengths are not fair and equitable and do not provide for equal security.

We have accordingly listened with the most careful attention to all the explanations given by the Japanese delegation of their proposal for a common upper level with a view to determining whether any new facts or considerations might be developed which would justify the United States in modifying its belief that the principles

³¹ Telegram in three sections.

³² Tenth meeting of the First Committee, January 15, 1936, *The London Naval Conference, 1935*, p. 212.

³³ Notification was received by the Department at 1:10 p. m., to release the text of Mr. Davis' statement.

of the common upper limit would not be a practicable basis for the limitation and reduction of naval armament. While we greatly appreciate the clear exposition of the Japanese point of view presented by Admiral Nagano, the discussion has if anything served to strengthen our conviction that the principle of a common upper limit would not serve as a basis for negotiation and agreement.

The Japanese have proposed that this Conference establish a level for naval armaments which no contracting power might exceed. They expressed the hope that the agreed limit should be set so low as to require substantial reductions by Japan. This would require contracting powers having navies larger than the limit to scrap or sink many ships to reach this common upper limit and would permit contracting powers having the smaller navies to build up to the common level.

The Japanese recognize that there are differences in vulnerability, responsibility, and needs as between the powers. They state these are of 'great consequences to every power.' To provide for these differences they propose to make a small quantitative adjustment within the common upper limit. While Japan has objected to a continuance of the so-called ratio system, their proposal for a common upper limit is in fact not an abandonment but a continuance of the ratio system on the basis of parity without taking into account the varying needs of the countries concerned.

The principle of the common upper limit rests in fact on the assumption which it has not been possible to substantiate that equality of security—which we are all unanimously agreed must be the foundation of limitation and reduction—could be achieved by equality of naval armament. We believe it has been sufficiently shown in the course of our discussions that equality of naval armament not only is not the same as equality of security but that the two are incompatible and contradictory. Equal armaments do not insure equal security.

Equality of security as was recognized and established at the Washington Conference can mean only superiority of defense in each country's own waters. This defense depends only in part on actual naval strength. Other factors of equal if not greater importance in determining a nation's capacity for defense are strength of land and air forces and of fortifications, distances from other powers, length of communications, configuration of coast lines, importance and relative distance of outlying possessions, extent and complexity of responsibilities. These necessarily dictate unequal navies if equality of security is to be assured.

The Japanese delegation has stated that one of the objects of their proposal is 'to create a state of nonaggression and nonmenace'. We are convinced this state now exists among the signatories to the naval treaties.

Certain nations are so situated as to be endowed by nature with a superior power of defense. If, without regard to all the other factors I have cited, a nation so situated should possess naval armaments equal to those of powers not so favored, then that nation would have a very marked naval superiority far more than sufficient for its defensive needs. The sense of security which we feel was created by existing naval treaties would thereby disappear. It is possible to change some factors; it is not possible to change geography.

The existing relative strengths have in effect provided an equilibrium of defense and an equality of security as nearly as is humanly possible. It would be extremely difficult even in more normal times and under conditions of greater mutual confidence, to agree upon such a radical readjustment of these relative strengths as would be involved in acceptance of the common upper limit. In the face of the present world instability such a readjustment, quite aside from the question of principle, is impossible. Bearing in mind the situation in the Far East, in Europe and in Africa, the United States is unwilling to consent to any change which would lessen its relative security particularly in the absence of greater assurance than we now have that to do so would not promote peace and establish a regime of nonmenace and nonaggression. It is, however, in favor of and has proposed at this Conference an all-around proportional reduction in fleet strengths.

With reference to the question of reducing so-called offensive naval arms which has been alluded to, I am persuaded that it is not possible to make out any case whatever as to a distinction to be drawn between offensive and defensive naval vessels. Whether any particular type of naval armament is offensive or defensive depends entirely upon the use that is made of it. If the time ever comes when the conditions of the world are such as to permit of virtual elimination of the necessity of maintaining large navies the first step would naturally be to cease to construct the more expensive types of naval vessels. Certainly the situation in the world today is not such as to justify this.

For all the foregoing reasons the United States is unable to accept the principle of the 'common upper limit' as the basis for an agreement. While we would deeply regret the inability to arrive at an agreement acceptable to all the powers here represented our decision and purpose would be to foster the continuance of our friendly relations with all the naval powers."

DAVIS

500.A15A5 Documents/14

*Press Communiqué, London Naval Conference, January 15, 1936*³⁴

At the request of the Japanese Delegation the Committee, at the invitation of the Chairman, agreed to resume this afternoon the discussion of the Japanese proposal for a common upper limit of naval tonnage. After the Japanese Delegation had made a statement with a view to elucidating further the Japanese proposal, the Chairman asked each Delegation to express their full and definitive views on this proposal. The Chairman, in summing up the discussion, stated that most of the time of the Delegations had been devoted, both inside and outside of the Conference, to a very careful consideration of this Japanese proposal, but he noted that it had received no support. Furthermore, he observed that the Japanese proposal dealt in the main only

³⁴ Issued at the close of the tenth meeting of the First Committee.

with quantitative limitation, and quantitative limitation itself was only a limited part of the many problems before the Conference. In the circumstances he thought that the best plan would be to adjourn the meeting and to proceed at the next meeting with the other important work before the Committee.

500.A15A5Documents/10

The Chairman of the Japanese Delegation (Nagano) to the Chairman of the Conference (Monsell)

[LONDON,] January 15, 1936.

MY LORD, I have the honour hereby to notify Your Lordship that as it has become sufficiently clear at to-day's session of the First Committee that the basic principles embodied in our proposal for a comprehensive limitation and reduction of naval armaments cannot secure general support, our Delegation have now come to the conclusion that we can no longer usefully continue our participation in the deliberations of the present Conference.

We remain, nevertheless, firmly convinced that our proposal is one best calculated to attain an effective disarmament, and we regret to state that we cannot subscribe, for the reasons we have repeatedly set forth, to the plans of quantitative limitation submitted by the other Delegations.

I desire to assure you, on this occasion, that we most sincerely appreciate the cordial manner in which you have been good enough to conduct the Conference; at the same time, I should like to tender our deepest thanks on behalf of our Delegation, for the hearty co-operation of all the Delegations to this Conference.

I have [etc.]

OSAMI NAGANO

REFUSAL BY JAPAN TO AGREE TO LIMITATION OF GUN CALIBER FOR BATTLESHIPS

500.A15A5/809

The Acting Secretary of the Navy (Standley) to the Secretary of State

A14-7(3)/EM-

London (360725)

WASHINGTON, 25 July, 1936.

SIR: Informal advices received from your Department have indicated that the Japanese government will not adhere to the Naval Treaty signed in London on March 25, 1936, by the representatives of the United States, the French Republic and the British Commonwealth of Nations.³⁵

In this connection it would be of great advantage to the Navy Department to know definitely whether the Japanese government has signified its intention in regard to entering into an agreement to conform to the provision of Part II, Article IV (2) of the Treaty, which would limit to 14 inches in caliber the guns of any capital ship to be constructed or acquired by any high contracting party.

It is requested that the information referred to in the preceding paragraph be furnished to the Navy Department as early as it may conveniently be obtained.

Respectfully,

W. H. STANDLEY

500.A15A5/841a: Telegram

The Acting Secretary of State to the Ambassador in Great Britain (Bingham)

[Paraphrase]

WASHINGTON, December 3, 1936—8 p. m.

434. (1) It has become most urgent for the Navy Department to have the matter clarified of Japan's position with regard to article 4, paragraph 2, of the London Naval Treaty of 1936, relating to the caliber of guns on capital ships, in view of the publicity in this country concerning the new capital ships and the short time which remains for the completion of the final plans for these ships.

(2) Last August the British Ambassador to Japan informed the British Foreign Office, you will recall, that only a direct approach on this subject might elicit a definite statement regarding the intentions of the Japanese Government and that after the return of

³⁵ Department of State Treaty Series No. 919.

Mr. Grew³⁶ from leave of absence in November such an approach might appropriately be made. The matter should be taken up more promptly in their view, the Foreign Office replied. In response to this the British Ambassador, we understand, recommended that the subject be broached in London and not in Tokyo.

(3) Then on October 15, the British Foreign Office requested their Embassy at Washington to obtain an expression of our views in the premises. We were agreeable in principle to their putting the question to the Japanese Government, we replied, but it should be put in the name of the British Government alone, and the man on the spot would be in the best position to decide, in view of the internal domestic situation in Japan, since we were desirous of avoiding any action which might have an adverse effect on the development of major policies in that country.

(4) You reported in your despatch No. 2613 of October 27, 1936,³⁷ that Craigie stated he had discussed this matter with Yoshida,³⁸ who had indicated that the Japanese might be prepared to give an official assurance in writing, with a face-saving clause, that they would bind themselves to 14-inch guns. Craigie had a second conversation with Yoshida on November 11, and Grew now telegraphs that Clive³⁹ has been informed that Yoshida said it would be unwise for him to take the subject up himself with Tokyo, and he recommended that the question be taken up as a technical matter directly with his naval attaché by the Admiralty. However, whether the Admiralty actually did make the approach to the naval attaché, no information indicating such action has been received by Clive.

(5) We are desirous of ascertaining precisely where the question lies between the British and the Japanese, whether Craigie actually agreed with Yoshida that the Japanese Naval Attaché should be approached by the Admiralty and whether such a course was pursued, before considering taking any action ourselves. You are requested to investigate the matter and to telegraph your report.

MOORE

500.A15A5/871: Telegram

The Ambassador in Great Britain (Bingham) to the Secretary of State

LONDON, March 30, 1937—1 p. m.

[Received March 30—8:50 a. m.]

178. Foreign Office has informed me that Foreign Secretary [Minister] has handed to British Ambassador in Tokyo formal Japa-

³⁶ American Ambassador to Japan.

³⁷ Not printed.

³⁸ Assistant Under Secretary of State, British Foreign Office, and Japanese Ambassador to Great Britain, respectively.

³⁹ British Ambassador to Japan.

nese reply refusing to accept 14-inch gun limitation since it would mean "qualitative without quantitative limitation".

An editorial entitled "Japan's responsibility" published in today's *Times* concludes as follows:

"The first step towards a new naval race will be the adoption of 16-inch guns as the largest that may be mounted instead of the 14-inch provided by the treaty; despite her withdrawal from the Conference, it was within the power of Japan to prevent that step by a mere undertaking before April 1 not to take it herself. Her definite refusal to give any such undertaking has just been reported from Tokyo. If the world now finds itself once more committed to the folly of unrestricted naval competition there can be no possible doubt where the responsibility lies."

BINGHAM

500.A15A5/883 a : Telegram

The Secretary of State to the Ambassador in Japan (Grew) ⁴⁰

[Paraphrase]

WASHINGTON, June 4, 1937—8 p. m.

75. The London Naval Treaty of 1936, as you are aware, made provision for a reduction from 16 inches to 14 inches in the future caliber of guns on battleships conditional upon acceptance of this provision of the treaty by April 1, 1937, by all the powers signatories to the Naval Treaty signed at Washington on February 6, 1922.⁴¹ The American Government has ratified the Naval Treaty of 1936, but because the condition of a general agreement to the 14-inch gun caliber limitation for battleships before April 1, 1937, was not effected, that limitation has not become effective.

This Government is now under the necessity of deciding the caliber of the guns to be mounted on the two new battleships for which appropriations have been made and the construction of which has begun. The Government has also to determine what shall be the caliber on additional battleships for the construction of which appropriation of the necessary funds may soon be asked of Congress by the President.

The Government of the United States, which is sincerely committed to the principle of reduction of armament has been and remains entirely willing to accept a gun caliber limitation of 14 inches, provided that the other principal naval powers will agree to adopt and to adhere to a like limitation.

The President must soon make a decision, and while he would deplore the necessity of having to increase the caliber of the guns to be mounted on our new capital ships to 16 inches, he may find that he

⁴⁰ Sent, *mutatis mutandis*, on the same date to the Ambassadors in Great Britain, France, and Italy.

⁴¹ *Foreign Relations*, 1922, vol. I, p. 247.

shall have to take this action if the other principal naval powers are unwilling to maintain a limitation of 14 inches.

The adoption of the 14-inch gun caliber as a maximum, subject to the adoption of that limitation by the other principal naval powers, was one of the important points of agreement reached by the powers who negotiated the Naval Treaty of 1936; this fact gives rise to a sincere hope on the part of the American Government that there may at least be the possibility of achieving this one aspect of limitation, thereby removing an element of suspicion and uncertainty detrimental to the best interest of all the powers who are concerned.

For the foregoing reasons you are requested to approach the Japanese Government with a view to ascertaining whether that Government would be willing to maintain this one aspect of naval limitation.

You may also state that the Government of the United States is presenting this inquiry and proposal simultaneously to all the powers signatories to the Washington Naval Treaty of 1922; you should add that the Government of the United States would appreciate receiving a reply before June 21, 1937.

HULL

500.A15A5/891 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, June 18, 1937—4 p. m.

[Received June 18—9:05 a. m.]

161. Department's 75, June 4, 8 p. m.; Embassy's 152, June 7, 3 p. m.⁴² Following is the official English translation of the Japanese text of the *aide-mémoire* marked "confidential", dated today, handed to me this afternoon by the Minister for Foreign Affairs.

"Aide-mémoire. The Japanese Government have taken note of the proposal of the Government of the United States regarding the limitation of the calibre of guns for capital ships which was contained in the *aide-mémoire* handed on June 7 this year to the Foreign Minister by the United States Ambassador in Tokyo.

The fundamental policy that guides Japan in providing for her armament is, as has been made clear on many previous occasions, based on a consistent regard for the principle of nonmenace and nonaggression. It follows, therefore, that so long as the other powers also adhere to the same principle and are content with maintaining the minimum force required for their strictly defensive needs, Japan entertains no intention at all of embarking, on her own initiative, upon the building up of a naval force which could be a menace to other countries.

While the limitation of the gun calibre for capital ships constitutes one important aspect of qualitative limitation, the Japanese Government, in elucidating at the last London Naval Conference their basic attitude concerning the means calculated to bring about just and fair

⁴² Latter not printed.

ate of naval disarmament, made it clear that they could not subscribe to qualitative limitation alone, if not accompanied by a simultaneous restriction in quantity. The Japanese Government still hold the same conviction as regards the matter of qualitative limitation. Stated briefly, it is their belief that a mere limitation in quality alone will only induce a tendency to make up for the deficiency caused by such limitation, by resorting to quantitative augmentation, thus ultimately leading to a competition in naval armament in quantity. The Japanese Government, therefore, are not, at this juncture, in a position to adopt, apart from quantitative restrictions, a mere limitation of the gun calibre for capital ships, a matter which properly belongs to the most important phase of qualitative limitation. We hope that the United States Government will understand the above-mentioned position of the Japanese Government.

It may be added for the information of the United States Government that this position of the Japanese Government as regards qualitative limitation was communicated towards the end of March to the British Government, when the Japanese Government responded to the British proposal of January this year regarding the limitation to fourteen inches of the maximum calibre of guns for capital ships.

June 18, 1937."

GREW

D.A15A5/903

Press Release Issued by the Department of State on July 10, 1937

On April 1, 1937, in view of the fact that all the Parties to the Treaty for the Limitation of Naval Armament of February 6, 1922, had not accepted 14 in. as the limit of the caliber of guns on capital ships, under the London Naval Treaty, 1936, 16 in. automatically became the limit of the caliber of guns to be mounted on capital ships. However, this Government, not wishing to leave a stone unturned in its effort to maintain the limit of the caliber of guns on capital ships at the lower level, about June 1, on its own initiative sounded out the Governments Parties to the Washington Naval Treaty to ascertain whether they would be willing to maintain the limit of the caliber of guns on capital ships at 14 in. At the same time, this Government in line with its policy consistently followed of favoring the principle of a reduction of armaments, expressed its entire willingness faithfully to maintain the lower level.

The Governments thus approached have now replied. Unfortunately, it is established that there is not a universal acceptance by the Washington Naval Powers of the limit of gun caliber at 14 in.

With the greatest reluctance, therefore, this Government has been obliged to conclude that all other Governments have given no assurance of the maintenance of the 14 in. gun level. As a consequence, therefore, guns of a caliber of 16 in. will be mounted on the two new battleships for which appropriation has been made and on which construction has begun.

REJECTION BY JAPAN OF AMERICAN, BRITISH, AND FRENCH PROPOSALS FOR THE RECIPROCAL EXCHANGE OF NAVAL CONSTRUCTION INFORMATION

500.A15A5 Construction/91 a : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, February 3, 1938—8 p. m.

36. As you know persistent reports have reached us that the Japanese are building, or contemplate building, ships exceeding the limits of the London Naval Treaty, 1936.⁴³ We have discussed the matter with the British, who called in the French, and it has been agreed that an identic note, *mutatis mutandis*, should be delivered to the Japanese Government by you and your British and French colleagues on Saturday at times to be agreed upon by you.

The following is the text of the note which you should address to the Japanese Government:

[Here follows the text of the body of the American note dated February 5, printed *infra*.]

HULL

500.A15A3 Construction/131

The American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (Hirota)

No. 875

TOKYO, February 5, 1938.

EXCELLENCY: The Japanese Government will be aware that under the London Naval Treaty 1936 the American Government is precluded from constructing capital ships (i. e., vessels of more than 10,000 tons standard displacement or with a gun of more than eight inches) which exceed 35,000 tons or carry a gun of more than 16 inches, or which are of less than 17,500 tons or carry a gun of less than 10 inches. As regards cruisers (i. e., vessels of not more than 10,000 tons with a gun of not more than eight inches) the American Government is limited to a maximum of 8,000 tons with six inch guns.

The Japanese Government has unfortunately not seen its way to subscribe to the London Naval Treaty, nor has it hitherto felt able to give any assurances that Treaty limits would in practice be adhered to by it.

As the Japanese Government will be aware, the Naval Treaty gives

⁴³ Department of State Treaty Series No. 919.

the American Government a right of escalation in the event of building not in conformity with treaty limits by a Power not a party thereto. There have for some time been persistent and cumulative reports, which, in the absence of explicit assurances from the Japanese Government that they are ill-founded, must be deemed to be authentic, that Japan has undertaken or intends to undertake construction of capital ships and cruisers not in conformity with the above-mentioned limits. The American Government has therefore decided that it will be necessary for it to exercise its right of escalation unless the Japanese Government can furnish the aforesaid assurances and can satisfy the American Government that it will not, prior to January 1, 1943, lay down, complete, or acquire any vessel which does not conform to the limits in question, without previously informing the American Government of its intention to do so and of tonnage and calibre of the largest gun of the vessel or vessels concerned.

In view of the forthcoming publication of naval estimates and necessity for giving other Treaty Powers information as to intended American construction, the American Government will be glad to receive a reply not later than February 20 next. Should no reply be received by that date, or should the reply be lacking in the desired information and assurances, it will be compelled to assume that the Japanese Government either is constructing or acquiring or has authorized the construction or acquisition of vessels not in conformity with the limits referred to. The American Government would thereupon be obliged in consultation with the other Naval Powers with which it is in treaty relations to resume full liberty of action. If, however, the Japanese Government, though engaged in, or intending to engage in, construction not in conformity with treaty limits, were willing to indicate forthwith the tonnages and calibres of guns of the vessels which it was constructing, or was intending to construct, the American Government for its part would be ready to discuss with the Japanese Government the question of the tonnages and gun calibres to be adhered to in future if Japan were now prepared to agree to some limitation. It would, however, be necessary that such consultation should be completed by May 1.⁴⁴

I avail myself [etc.]

JOSEPH C. GREW

500.A15A5/131

The Japanese Minister for Foreign Affairs (Hirota) to the American Ambassador in Japan (Grew)

No. 18, American I

TOKYO, February 12, 1938.

YOUR EXCELLENCY: I have the honour to acknowledge the receipt of Your Excellency's letter No. 875 dated 5th February, 1938, in which

⁴⁴ The date was advanced to April 1 by the Department's telegraphic instruction No. 49, Feb. 9, 1938; not printed.

you set forth your Government's desire regarding the communication of information on the matter of naval construction.

It may be recalled that at the last London Naval Conference the Japanese Government proposed, in the earnest desire to bring about a drastic reduction of naval armament, the total abolition of capital ships and aircraft-carriers, which are aggressive in their nature, and at the same time contended that qualitative limitation, if not accompanied by quantitative limitation, would not be calculated to achieve any fair and equitable measure of disarmament. Unfortunately the views of the Japanese Government were not shared by your Government and the other Governments concerned. This fundamental principle entertained by the Japanese Government was, as your Government will be aware, made clear again last year in their reply to the proposal of your Government regarding the limitation of gun calibres. The Japanese Government, always prompted by the spirit of non-menace and non-aggression, have no intention whatever of possessing an armament which would menace other countries. At this juncture, when, as a result of the non-acceptance by other countries of the reasonable desires of Japan in the matter of disarmament, there is as yet in existence no fair disarmament treaty to which Japan is a party, the Japanese Government are of opinion that the mere communication of information concerning the construction of vessels will, in the absence of quantitative limitation, not contribute to any fair and equitable measure of disarmament and regret that they are unable to comply with the desire of your Government on this point.

The Japanese Government fail to see any logical reasoning in an assumption on the part of your Government that this Government must be deemed to entertain a scheme of constructing vessels which are not in conformity with the limits provided in the London Naval Treaty of 1936, from the mere fact that they do not despatch a reply giving the desired information; and they are of opinion that it is not a matter which should concern this Government if your Government, on the basis of whatever reason or rumour, should exercise the right of escalation provided in any treaty to which Japan is not a party.

Your Government are good enough to intimate that, should the Japanese Government hereafter be prepared to agree to some limitation in respect of the tonnage of vessels and the calibre of guns, they would also be prepared to discuss the matter. The Japanese Government still holding the firm conviction that qualitative limitation, if not accompanied by quantitative limitation, would by no means contribute to the attainment of any fair and equitable measure of disarmament, cannot but consider that the discussion suggested by your Government would not conduce in any measure to the realisation of their desires concerning disarmament. It is to be added, however, that as the Japanese Government do not fall behind other Govern-

ments in their ardent desire for disarmament, they will be ready at any moment to enter into any discussions on the matter of disarmament which give primary importance to a fair quantitative limitation.

I avail myself [etc.]

KOKI HIROTA

500.A15A5 Construction/141

*The Secretary of State to the British Ambassador (Lindsay)*⁴⁵

WASHINGTON, March 31, 1938.

EXCELLENCY: With reference to Article 25 of the Naval Treaty signed in London on March 25, 1936, I have the honor to notify Your Excellency, in accordance with paragraph (2) of that Article, that the Government of the United States of America finds it necessary to exercise the right of escalation reserved in paragraph (1) and of effecting a departure from the limitations and restrictions of the Treaty.

The proposed departure relates to the upper limits of capital ships of sub-category (a) and to the calibre of guns which may be mounted on capital ships of sub-category (a).

The above action is motivated by the fact that upon the receipt of reports to the effect that Japan is constructing or has authorized the construction of capital ships of a tonnage and armament not in conformity with the limitations and restrictions of the Treaty, the Government of the United States addressed an inquiry to the Japanese Government and the Japanese Government did not choose to furnish information with regard to its present naval construction or its plans for future construction.

Since there is no separate diplomatic representation of Australia, New Zealand, or India at Washington, there are enclosed copies of this note which you are respectfully requested to transmit to these governments.

Accept [etc.]

CORDELL HULL

⁴⁵ Identical notes, except for the final paragraph, were sent on the same date to the French Ambassador and the Canadian Minister; the same text was telegraphed to the American Ambassadors in Italy and Japan to be communicated as a matter of courtesy to the Governments to which they were accredited.

REFUSAL BY JAPAN TO GRANT THE PRIVILEGE OF NAVAL VISITS OF COURTESY TO UNITED STATES SHIPS ON A RECIPROCAL BASIS INTO CERTAIN TER- RITORIAL WATERS

811.33621/9a : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, June 13, 1936—2 p. m.

75. For several years now the Government of Japan has requested, each year, that the American Government extend facilities in its territorial waters off the Alaskan coasts to two Japanese Government ships and permit their entry into harbors in Alaska and in the Aleutian Islands that are not open, ordinarily, to foreign commerce. In the case of one of the vessels in question it was stated that its purpose in visiting these waters and harbors was the making of studies in connection with protection of fur-bearing seals; in the case of the second vessel, however, it was not suggested that the visits would be made on basis of any treaty or formal arrangement between the American Government and the Government of Japan. The Government of the United States has acceded, nevertheless, to the requests of the Government of Japan in this regard.

A strong undercurrent of suspicion and conjecture has existed for some time past over harbor developments or fortifications in possessions which both Japan and the United States have in the Pacific. No objection to the visits of Japanese Government vessels to the territorial waters and closed harbors of Alaska has been made by this Government, as it was believed that the opportunities which were open in this way for observation by Japanese vessels would serve to remove any suspicion which the Government of Japan might hold that any improvements have been made of such a nature as would violate either the letter or the spirit of the naval treaty signed on February 6, 1922.⁴⁶

In our view it is unfortunate that the Government of Japan so far has not adopted an attitude similarly liberal in the face of allegations that in the Japanese mandated islands of the Pacific improve-

⁴⁶ *Foreign Relations* 1922, vol. I, p. 247.

ments are being carried out which are irreconcilable with Japan's treaty obligations not to fortify those islands. We can understand that the Government of Japan should be reluctant to give any countenance to irresponsible allegations, but nevertheless that Government undoubtedly shares with the Government of the United States the view that persistent suspicion with regard to this matter is provocative of mutual distrust, and that such suspicion, therefore, should be dispelled.

The American destroyer *Alden* will be sent shortly to the Asiatic station according to the Navy Department plans. The Japanese Government will thus have presented to it an opportunity to extend to a vessel of this Government courtesies at the larger unopened ports of the Pacific mandated islands, as well as at the open ports. An invitation by the Government of Japan for the *Alden* to visit these ports would have, in our opinion, highly beneficial results from the point of view of relations between the two nations.

Please consider carefully and attentively our views as we have sketched them. If no objection is perceived, please present these views informally and orally to the Minister for Foreign Affairs, putting forward the suggestion outlined in the foregoing paragraph as on your own initiative.

Inform the Department currently by telegraph.

HULL

811.33621/14: Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

TOKYO, July 8, 1936—10 a. m.

[Received July 8—1:11 a. m.]

150. Today I made suggestion, as on my own initiative, to the Minister for Foreign Affairs with regard to an invitation to the *Alden* to visit open and unopened ports in the Pacific islands under Japanese mandate.

Marked interest was shown by the Minister in the situation as I described it, but he professed not to know anything at all about the subject. He told me that he would see what there was that could be done and that he would try to give me, before July 20, the results of his inquiries.

GREW

11.33621/16: Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Paraphrase]

Tokyo, July 28, 1936—1 p. m.

[Received July 28—7:27 a. m.]

163. At the request of the Vice Minister for Foreign Affairs, the Counselor of the Embassy called on the Vice Minister to discuss certain questions that had been broached by the Ambassador to the Minister for Foreign Affairs. One of these questions related to the possibility of the visit by the *Alden* to ports in the Japanese mandated islands. This call was the only opportunity that presented itself for discussion of the matter since the visit of the Ambassador on July 8.

The Vice Minister stated that the suggestion of the Ambassador had been referred to the Ministry of Overseas Affairs but that no reply had been received. He further stated that there would probably be consultation with other government departments. In response to a query by the Counselor, he expressed the fear that the Foreign Office had no way of expediting the reply.

The manner of the Vice Minister was friendly, but it indicated that the Foreign Office could do nothing further.

GREW

11.33621/16: Telegram

The Acting Secretary of State to the Ambassador in Japan (Grew)

[Paraphrase]

WASHINGTON, August 7, 1936—7 p. m.

102. Embassy's telegram No. 163, July 28, 1 p. m. With regard to the suggestion made relative to the *Alden*, the Department assumes that there is no prospect that the Japanese authorities will take favorable action. In reply to a communication from the Japanese Embassy here,⁴⁷ the Department is today returning an adverse answer ⁴⁷ to that Embassy's request that the Japanese Government training ship *Shintoku Maru* be permitted to enter a Hawaiian harbor which is not listed as a port of entry.

PHILLIPS

⁴⁷ Not printed.

JAPAN'S UNDECLARED WAR IN CHINA AND
FURTHER JAPANESE PENETRATION BY
ARMED FORCE OR THREAT OF FORCE

JAPAN'S UNDECLARED WAR IN CHINA AND FURTHER JAPANESE PENETRATION BY ARMED FORCE OR THREAT OF FORCE

1937

798.94/8683 : Telegram

The Ambassador in China (Johnson) to the Secretary of State

PEIPING, July 8, 1937—11 a. m.

[Received July 8—4:05 a. m.]

206. 1. A clash took place shortly before midnight last evening at Marco Polo Bridge, which is 10 miles west of Peiping, between Japanese and 29th Army (Sung Cheh-yuan's) troops. Japanese troops have been maneuvering for some 2 weeks in that vicinity and, according to Chinese sources, attempted last evening to take Marco Polo Bridge as a part of the maneuvers. The Chinese troops which have been stationed at either end of the bridge for a long time resisted and subsequently retired into the nearby small, walled town of Wanpinghsien. It is not known what casualties may have occurred during the clash at the bridge.

2. It is understood that the chairman of the Foreign Affairs Committee of the Hopei-Chahar Political Council called at 1 a. m. at the Japanese Embassy here to effect a settlement.

3. However, according to Chinese guards of the barricaded gates of Wanpinghsien who were interviewed this morning at 8 o'clock by Salisbury,¹ the Japanese began firing on the city at about 3:30 a. m., with the result that some houses were destroyed, some tens of Chinese soldiers were killed or wounded, and ten or more civilians were killed. The guards claim the Chinese side did not respond to the Japanese firing. Desultory firing was still going on in the vicinity of Marco Polo Bridge as late as 8:30 a. m. today although country this side was peaceful, Chinese on farms going about their affairs as usual.

4. The Embassy will report later what progress may be made in negotiations for a settlement of the incident. Peiping is quiet. No unusual movement of troops by either side.

Repeated to Nanking, Shanghai, and Tokyo.

JOHNSON

¹ Laurence E. Salisbury, Second Secretary of Embassy in China.

793.94/8684 : Telegram

*The Ambassador in China (Johnson) to the Secretary of State*PEIPING, July 8, 1937—3 p. m.
[Received July 8—6:16 a. m.]

207. Embassy's 206, July 8, 11 a. m.

1. Local Japanese Assistant Military Attaché stated to press representatives this morning that, in view of many rumors arising because of Sung Cheh-yuan's absence, the Japanese wish to do away with misunderstandings; that this morning's incident is regrettable; that Chinese troops opened fire on Japanese troops while the latter were maneuvering near Marco Polo Bridge; that the Japanese troops stopped maneuvering, concentrated, and awaited; that Chinese again opened fire at about 5 a. m.; that the Japanese, therefore, had to take self-defense measures; that the incident is undesirable for friendly relations between Japan and Hopei and Chahar; that proper measures must be considered; that Japan does not desire to enlarge this incident; but that that will depend on the Chinese attitude.

2. According to a statement issued by the office of the Japanese Military Attaché, a Japanese lieutenant was killed, a second lieutenant was injured, and several of lesser rank were killed or injured.

3. According to Chinese and Japanese sources, two Japanese officers and a few Chinese officers and officials went early this morning to the town of Wanpinghsien to negotiate on the spot. Apparently the second fighting broke out while they were at that town.

4. The Chinese press has published an account, apparently inspired by Chinese officials, according to which the Japanese military demanded permission to enter Wanpinghsien, following the first encounter, in order to search for those Chinese soldiers who the Japanese alleged were responsible for the clash; permission was refused; and subsequently the Japanese opened fire on the town.

Repeated to Nanking, Shanghai, and Tokyo.

JOHNSON

793.94/8682 : Telegram

*The Ambassador in Japan (Grew) to the Secretary of State*Tokyo, July 8, 1937—5 p. m.
[Received July 8—6:29 a. m.]

185. We are informed by the Foreign Office that official Japanese reports from Peiping indicate that prospects are favorable for settlement of the brush which took place this morning near Peiping between Japanese and Chinese troops. It was stated at the Foreign Office that

our military people seem to believe that the firing by Chinese troops which started the incident was not premeditated."

Repeated to Peiping.

GREW

93.94/8694 : Telegram

The Ambassador in China (Johnson) to the Secretary of State

PEIPING, July 10, 1937—4 p. m.
[Received July 10—10:20 a. m.]

215. Embassy's 200 [214], July 10, 1 p. m.²

1. The Naval Attaché and Assistant Military Attaché returned at noon from Wanpinghsien. They report that Japanese troops are no longer on the Peiping-Hankow Railway and that the only Japanese troops visible are some fifty which are stationed some distance on the road to Peiping east of the east gates of Wanpinghsien; that is, the town is between them and the river and Marco Polo Bridge. They are of the opinion that the other Japanese troops have returned to Fengtai. They report that Sung's men are all west of the river and that Wanpinghsien is garrisoned by Peace Preservation Corps.

2. Evidence is increasing that the casualties on both sides were considerable and that the Japanese casualties were much larger than officially admitted.

Repeated Nanking, Shanghai, and Tokyo.

JOHNSON

793.94/8713 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 12, 1937—7 p. m.
[Received July 12—10:35 a. m.]

190. Embassy's 189, July 12, noon.²

1. A Foreign Office official informed us this afternoon that the Cabinet had decided to despatch reinforcements to China and had requested the Imperial sanction to do so in the event the agreement is not observed by the Chinese.³

2. In a conversation with a member of the Embassy staff at a luncheon given today by the Vice Minister for Foreign Affairs, the latter confirmed the news that an agreement providing for the withdrawal of Chinese and Japanese troops from the Yungting River had been

² Not printed.

³ For substance of the agreement of July 11, see memorandum by the Ambassador in Japan, July 22, 1937, p. 333.

signed by the local negotiators last night. Horinouchi added that the higher officers of the 29th Chinese Army would probably do their best to carry out the agreement but he expressed doubt as to whether they would be able to control certain elements among their troops.

3. Kishi, the private secretary to the Minister for Foreign Affairs, stated to the same member of the Embassy staff that the clashes which occurred during the night of June [July?] 10 had resulted partly from the fact that both the Chinese and the Japanese soldiers had been ignorant of the exact terms of the oral agreements reached. He expressed the belief that now that the withdrawal agreement was in writing there would be less likelihood of future clashes.

Repeated to Peiping.

GREW

793.94/8761

Memorandum by the Secretary of State

[WASHINGTON,] July 12, 1937.

The Japanese Ambassador called by his own request. He said that he had two things to discuss or to report on—one was that Japan had two ships taking part in the search for Amelia Earhart⁴ and that their officials at Hawaii and other points had been instructed to keep closely posted on the search in the hope of being of some help. I thanked him very earnestly for this fine spirit of friendliness and cooperation on the part of his government.

The Ambassador then handed me a manuscript containing six paragraphs or points relative to the Japanese-Chinese military trouble which commenced on July 7th. A copy of the instrument of writing is attached hereto.⁵ The Ambassador read each numbered paragraph for the purpose of any comment I might wish to make. I inquired, when he read the first paragraph, how many troops there were in the Japanese detachment stationed at Fengtai on July 7th. He replied that he did not know but that he supposed it was a hundred or some such number. He said that he imagined this detachment, which was unexpectedly fired upon by Chinese troops, was on the other side of the river from the Chinese troops at the Marco Polo Bridge. When I suggested that Japanese troops had been understood to be camped at various points between the two railroads leading into Peking, he said he was not a student of the geography of this locality. He said that these Japanese troops were located in this Chinese area under the same authority that United States guards and those of three or four other countries are at present stationed in Peking and other Chinese cities. I expressed deep

⁴American aviatrix lost in the Pacific Ocean on a round-the-world flight.

⁵*Infra*.

regret at the incident during the reading of each paragraph. He said that Chiang Kai-shek^{5a} is behind the entire movement; that the idea, in the Ambassador's opinion, is to strengthen his prestige in northern China and especially with certain elements of Chinese who have charged him with being too lax and non-aggressive in his treatment of the Japanese situation. The Ambassador remarked that he still had some hope the matter might be composed, and then added that the Chinese must know that the Japanese could bring their fleet around to the Chinese coast and take complete control of the situation.

At the conclusion of the reading, I specially emphasized with approval the remarks of the Ambassador about the efforts of his government to work out a friendly settlement without war. I elaborated upon the futility of any other course and the awful consequences of war. I said that a great civilized first-class power like Japan not only could afford to exercise general self-restraint in such circumstances but that in the long run it was far better that this should characterize the attitude and policy of his government; that I have been looking forward with increasing encouragement to an early period when our two great nations in particular, while other important countries are hesitating to go forward and in fact are slipping backward fundamentally with respect to their economic and standard-of-living situations, would have the opportunity, as well as the great responsibility, for world leadership with a constructive program like the basic program proclaimed at Buenos Aires⁶ for the purpose of restoring and preserving stable conditions of business and of peace, which program I elaborated on; that no two great countries have rarely had such an opportunity in these respects as seems to be ahead for our two countries and that of course it means everything from this viewpoint, as well as others, that serious military operations should not be allowed to get under way; and again I expressed my strongest approval of the disposition and self-restraint which his government is manifesting, judging by the statements of the Ambassador. He said that he would be glad to keep me advised as to any further developments of consequence. I replied that of course this country is greatly interested and greatly concerned in conditions of peace in every part of the world, and that I would welcome anything further in the way of information from time to time, and would be glad to treat in very strictest confidence any confidential information he might care to give me on the subject. I

^{5a} Chinese Generalissimo; President of the Executive Yüan (premier), 1935-38.

⁶ See Department of State Conference Series 33, *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936* (Washington, Government Printing Office, 1937).

again emphasized the great injury to the victor as well as the vanquished in case of any important war in this day and time, of the great concern of this government for peace everywhere and of my earnest hope that our two countries would soon find themselves in a situation to accentuate a program such as we proclaimed in the main at Buenos Aires. The Ambassador indicated his interest and approval. I concluded by thanking him for his offer to furnish further information.

C[ORDELL] H[ULL]

793.94/8761

The Japanese Embassy to the Department of State

1. In the evening of July 7, 1937 a detachment of the Japanese troops stationed at Fengtai, near Peiping, was engaged in a night maneuver in the vicinity of Lukow Kiao. At 11:40 p. m. Chinese troops under the command of Feng Chih-an (29th Army) made an attack upon the Japanese soldiers for no cause at all.

Thereupon the detachment stopped the maneuver and asked the command at Fengtai to send out reinforcements.

2. At such maneuvers, the Japanese troops ordinarily carry a very small quantity of loaded shells for use in case of emergency. In point of fact the commanding officer of the said detachment had with him loaded shells enough to be distributed one shell for each soldier, besides one box of loaded shells for the machine guns. In view of these facts, it is absolutely impossible for the Japanese soldiers to have challenged the Chinese.

3. The right of maneuver of the Japanese troops stationed in North China is clearly stipulated in the Chino-Japanese Protocol of 1902 concerning the restoration of Tientsin to China.⁷ Moreover, the Japanese authorities had informed the Chinese in advance of the holding of the maneuver in question. It is entirely groundless to say that the recent maneuver of the Japanese troops is an unlawful act committed outside the region stipulated in the said Protocol as reported in the newspapers.

4. Since the night of July 7, the Japanese authorities have made an earnest endeavor to localize the incident and once succeeded in bringing the Chinese authorities to agree to a peaceful settlement. On the night of July 10, however, the 29th Army, in violation of the agreement, suddenly fired on the Japanese troops, causing considerable casualties. In addition, it is reported, China has been increasing the forces of the first line by ordering Suiyan troops to march south and by sending central forces and air corps to the front.

⁷ For terms of agreement for the restoration of Tientsin, see despatches from Mr. Conger to Mr. Hay, No. 1046, July 15, 1902, and No. 1051, July 19, 1902, *Foreign Relations*, 1902, pp. 198, 200.

Since the night of July 10, China not only has failed to manifest any sincerity toward a peaceful settlement but has flatly rejected the local negotiation at Peiping.

5. The presence of disorderly Chinese troops in the Peiping and Tientsin area not only disturbs peace and order in North China which is of vital importance to Japan but also endangers the lives and property of the Japanese nationals there.

In the circumstances, the Japanese Government has decided to take precautionary steps to meet all situations, including the dispatch of additional military forces to North China.

6. The Japanese Government, desirous as ever to preserve peace in East Asia, has not abandoned hope that through peaceful negotiations the aggravation of the situation may yet be prevented.

An amicable solution can yet be attained if China agrees to offer apologies for the recent lawless action and to give adequate guarantees against such outrages in future.

In any case the Japanese Government is prepared to give full consideration to the rights and interests of the Powers in China.

[WASHINGTON,] July 12, 1937.

[For further information regarding the outbreak of hostilities, see First Report Adopted by the League of Nations Assembly on October 6, 1937, printed on page 384.]

93.94/8741½

Press Release Issued by the Department of State on July 12, 1937

The Japanese Ambassador and the Counselor of the Chinese Embassy each called at the Department this morning, and communicated information in regard to events in North China. In the course of the conversations which ensued both were given expression of the view that an armed conflict between Japan and China would be a great blow to the cause of peace and world progress.

93.94/8745 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Substance]

TOkyo, July 13, 1937—5 p. m.

[Received July 13—1 p. m.]

192. An analysis of the attitude of the Japanese at the present time in regard to China is submitted by the American Ambassador in the form of a summary of the situation to the following effect:

There is a striking unanimity of opinion which is not a case of unwilling submission on the part of the Government to military initiative. The Japanese Cabinet, whose prestige is high, gives full support to steps which the Japanese Army has taken in North China recently and is entirely in command. No inclination has been shown by the press to question the stand taken by the Japanese Government on the incident at Marco Polo Bridge, and the general expressions of approval in the press seem to be spontaneous. The American Embassy has received no intimation that there prevails in the Foreign Office a difference of opinion.

Lieutenant General Kiyoshi Kazuki, a competent officer of high rank, was sent suddenly to take command of the garrison in North China. There is well-coordinated and extensive preparation for such further use of force as may seem to be required in North China. The Government has been careful to consult with and obtain the cooperation of the country's leaders—in the Diet, in banking and business, in the press, and in the political parties and is mustering its forces in order to put into effect such decision as may be arrived at.

The Ambassador remarks that never during the time in which he has been stationed at Tokyo has he noted signs of a determination so unanimous and strong on the part of the Japanese Government to oppose any movement which might have a tendency to lessen the strength of Japan's position in North China, even if such opposition should mean extensive hostilities.

The Ambassador feels that he does not yet have enough evidence to warrant the assumption that, in order to force a "show-down," either the Japanese Army or the Japanese Government engineered the incident deliberately. However, he expresses the belief that the statements in the foregoing paragraphs can be made without qualification. He is of the opinion that if some way of avoiding general hostilities without losing face could be found the Japanese Government might possibly still be pleased to find this way.

Repeated to Peiping.

GREW

793.94/8779

Memorandum by the Secretary of State

[WASHINGTON,] July 13, 1937.

The Japanese Ambassador called at my apartment in the Carlton Hotel at 8:00 o'clock, p. m. I had previously requested him to call at 4:00 o'clock, and he inquired from the Kenwood Golf and Country Club, some ten miles out of the city, if it would be equally convenient for him to come in tomorrow, Wednesday. An appointment

was made for 10:30 a. m., Wednesday, but at about 5:30 o'clock the Ambassador was reached again on the telephone at the Kenwood Club and the appointment changed to 8:00 p. m., this evening, July 18th.

When he came in I said that I was seeking all avenues of information about the crisis in the Sino-Japanese situation and that in view of his statement to me on yesterday that he would be glad to keep me informed as to any developments I did not desire to make my report on the day's developments to the President with the Ambassador and his government left off the list in this connection, and hence I had requested him to come in this evening at 8:00 o'clock. I said I could not believe that he and his government would desire to be left off of this round of conferences of today. He chimed in in agreeable language.

I proceeded then to say that to my country and government the peace situation means everything and that naturally we are tremendously concerned in every aspect of the peace situation; that whatever we say or do with respect to this Far Eastern crisis is prompted solely by considerations of peace, accompanied by the most impartial and friendly attitude towards all concerned; that amidst the confusion and fog in the Peking area it is not possible for us to discern just what is taking place and how; that, for example, we do not know whether, or at least the extent to which, conference and communication is taking place between the Japanese and the Chinese officials, or, if so, whether it is only between the Japanese and the local Chinese officials, or between the Japanese and the general Chinese Government officials; that it is not known whether the troops of both sides have moved away from the area of conflict and where clashes between troops seem to be taking place, to the end that quiet might reign until orderly procedure for conferences could be established. I then said that with respect to the general situation the question is whether anything could or should be consistently said or done from any agreeable source that might be helpful to all concerned; that my government, of course, is primarily and paramountly concerned in the preservation of peace, and, as stated, it would confine its interest and utterances to phases entirely within the range of its impartial, friendly attitude towards all alike; that in any event whatever it might now say, if anything, in an effort to be thus helpful, would stop entirely short of any question or phase of mediation.

I again elaborated on the awful dangers and consequences of war to every part of the world alike and the impossibility of exaggerating the deep interest of my government and country in peace in the Orient at this time. In thus commenting and elaborating, I

of course gave the Ambassador credit for good faith in his protestations that his government did not desire war and could be expected to come out of China in due course.

The Ambassador, when I finally called upon him to give me any news as to developments since yesterday, promptly said that he had nothing new to tell me. In great earnestness I said, "Do you really feel that war will be avoided?" He immediately replied that he believed it would be. He gave no reasons, however, and I assumed that he naturally would have made no other reply in any event.

C[ORDELL] H[ULL]

793.94/8760 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 14, 1937—6 p. m.

[Received July 14—10:35 a. m.]

200. My 193, July 13, 6 p. m.⁸

1. The Military Attaché was informed this morning at the War Office that no reinforcements have left Japan proper or Chosen for North China, but that a detachment from the Jehol garrison has reached the Peiping area, and that preparations are being made to send additional troops from Japan proper or Chosen, if necessary. The War Office emphasized that there is no intention of setting up any "independent country" in North China, and that the incident can be settled by faithful Chinese execution of agreement already accepted by the Chinese 29th Army.

2. It is the opinion of the Military Attaché that only a small force, probably an infantry regiment, has reenforced the North China garrison, and that one division of the Chosen Army and probably the Third, Sixteenth, Tenth, Fifth, and Sixth Divisions in Japan proper and [*are?*] in readiness to move on short notice.

3. This morning the Foreign Office communicated to us the text of the agreement said to have been signed jointly by the Mayor of Tientsin, by an officer of the 29th Army, and by the Chief of the Public Safety Bureau of Hopei. These terms are substantially similar to those communicated by the Japanese Embassy to the Embassy at Peiping, as reported in Peiping's telegram number 230, July 13, 8 p. m.⁹

4. A feeling of optimism was expressed by the Foreign Office, the prospects being thought favorable for the liquidation of the situation on the basis of the local agreement provisionally reached and later repudiated by the Chinese. It was stated that future developments would depend on (a) whether the Blue Shirts would incite the 29th Army to further anti-Japanese activities, and (b) the Nanking Gov-

⁸ Not printed.

⁹ Telegram not printed; but see memorandum by the Ambassador in Japan, July 22, 1937, p. 333.

ernment would send troops north of Paoting, Hopei Province, in contravention of the Ho-Umezu agreement of 1935.¹⁰ It was stated emphatically that Japan would not permit Nanking Government troops to proceed north of this point. The statements made at the Foreign Office check precisely with the statements made by the War Office to the Military Attaché.

Repeated to Peiping.

GREW

93.94/8774 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 15, 1937—9 p. m.
[Received July 15—12:15 p. m.]

201. My No. 200, July 14, 6 p. m.

1. The Foreign Office informed us this afternoon that negotiations at Peiping and at Tientsin are in progress between the Japanese military and local Chinese authorities but that it would still be premature to anticipate the character of the outcome of such negotiations. However, it was said that the release by the Chinese of several captured Japanese policemen and gendarmes had contributed something toward relieving the tenseness of the situation.

2. In response to a question with regard to the basis of the negotiations, the Foreign Office informant stated that the only basis of discussion is the agreement of settlement said to have been signed by representatives of the Chinese local authorities and delivered to the Japanese on July 11. He said further that if a settlement could be reached of the present disturbed situation it might be possible that the Japanese Government would propose negotiations looking toward more permanent stabilization of conditions in North China on which occasion it was not unlikely that economic matters would be discussed. He emphasized that the negotiations now in progress are designed to deal with a settlement of the military situation only.

3. The Foreign Office informant further stated that Communist agitators are active in disseminating misinformation with regard to the concentration of both Chinese and Japanese troops, press accounts of large bodies of Chinese troops proceeding toward the north being greatly exaggerated, while the reports current abroad of large Japanese troop movements are without valid foundation. He added that thus far no troops of the Chinese Central Government have proceeded north of the line laid down in the Ho-Umezu agreement.

4. Again the information furnished us by the Foreign Office is identical with that furnished the Military Attaché by the War Office.

Repeated to Peiping.

GREW

¹⁰ Between the Chinese Minister of War and the Japanese General, Umezu.

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 15, 1937—10 p. m.

[Received July 15—10:15 a. m.]

202. My 201, July 15, 9 p. m. It has just been announced that the Cabinet has decided to despatch to North China reinforcements of undisclosed number of troops.

Repeated to Peiping.

GREW

793.94/8789 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Substance]

TOKYO, July 16, 1937—6 p. m.

[Received July 16—11:05 a. m.]

205. On the afternoon of July 16 the Chief of the American Section of the Foreign Office (Yoshizawa) gave "personally and unofficially" to a member of the Embassy staff a lengthy account of the North China situation. A summary of this account follows:

Up to the present time the Hopei-Chahar authorities and the 29th Chinese Army have not disavowed the agreement signed by them on July 11 and given to the Japanese. To execute the terms of the July 11 agreement will take some time but the 29th Army has committed no overt act which would show conclusively that the agreement is not to be executed or is to be disowned.

The main cause for the Japanese Government's decision of July 15 to send reinforcements to the North China area from Japan and in this way assure the safety of the Japanese troops in the vicinity of Peiping was the unremitting development of arrangements of the Nanking Government to mobilize and concentrate its troops in North China.

Two essentially separate and distinct questions have grown out of the incident at Marco Polo Bridge. These two questions are: (a) Settlement of the incident springing from antagonisms between the Japanese troops and the 29th Army and (b) the question whether the terms of the Ho-Umezu agreement of 1935 will be complied with by the Nanking Government. With regard to the latter question, no solution other than strict observance of the Ho-Umezu agreement on the part of the Nanking Government could be satisfactory to the Japanese. Concerning the other question, besides the circumstances mentioned above in the first paragraph of the summary of Yoshizawa's remarks, the 29th Army is made up of diverse conflicting ele-

ments which can be divided roughly into two cliques. One clique favors coming to terms with Japan on the basis of the July 11 agreement and the other clique advocates resisting the Japanese. According to indications, the clique which favors coming to terms with Japan is in the ascendancy.

In case troops of the Nanking Government should cross the Ho-Umezu line, Yoshizawa is personally of the opinion that three developments are possible. These developments are: (a) the Japanese troops will proceed against the Nanking troops, the 29th Army continuing to observe strict neutrality, (b) the Japanese troops will proceed against the troops of the Nanking Government with the "friendly cooperation or possibly with the support" of the 29th Army, (c) the Japanese may find it necessary to deal with both the 29th Army and the Nanking troops. Yoshizawa was of the opinion that (a) would be the most probable of the three possible developments.

During the course of a conversation with the American Military Attaché on the afternoon of July 16, an officer in the War Office expressed the opinion that there is a "50-50" chance that a peaceful settlement of the whole affair will be reached. He also stressed the importance attached to faithful observance of the Ho-Umezu agreement although no serious view is being taken of minor violations which have occurred to date. The officer affirmed as did the Foreign Office on July 15 that the agreement of July 11 has no reference to economic or political questions.

The Military Attaché states in his report to the Ambassador that he believes from various indications that part (probably a brigade of two infantry regiments with some artillery, cavalry, and engineers attached) of the Sixth Division stationed in southern Kyushu sailed from Shimonoseki on the night of July 15; that a partial mobilization of some units, including the requisitioning of motor vehicles, is under way and that supplies of aviation gasoline are being accumulated. There are ample indications that Japan is preparing to use the force necessary to compel execution of the agreement of July 11 if that agreement is not carried out voluntarily.

Repeated to Peiping.

GREW

*Statement by the Secretary of State*¹¹

I have been receiving from many sources inquiries and suggestions arising out of disturbed situations in various parts of the world.

Unquestionably there are in a number of regions tensions and strains which on their face involve only countries that are near neighbors but

¹¹ Issued as a press release on July 16, 1937; reprinted from Department of State, *Press Releases*, July 17, 1937 (vol. xvii, No. 407), p. 41.

which in ultimate analysis are of inevitable concern to the whole world. Any situation in which armed hostilities are in progress or are threatened is a situation wherein rights and interests of all nations either are or may be seriously affected. There can be no serious hostilities anywhere in the world which will not one way or another affect interests or rights or obligations of this country. I therefore feel warranted in making—in fact, I feel it a duty to make—a statement of this Government's position in regard to international problems and situations with respect to which this country feels deep concern.

This country constantly and consistently advocates maintenance of peace. We advocate national and international self-restraint. We advocate abstinence by all nations from use of force in pursuit of policy and from interference in the internal affairs of other nations. We advocate adjustment of problems in international relations by processes of peaceful negotiation and agreement. We advocate faithful observance of international agreements. Upholding the principle of the sanctity of treaties, we believe in modification of provisions of treaties, when need therefor arises, by orderly processes carried out in a spirit of mutual helpfulness and accommodation. We believe in respect by all nations for the rights of others and performance by all nations of established obligations. We stand for revitalizing and strengthening of international law. We advocate steps toward promotion of economic security and stability the world over. We advocate lowering or removing of excessive barriers in international trade. We seek effective equality of commercial opportunity and we urge upon all nations application of the principle of equality of treatment. We believe in limitation and reduction of armament. Realizing the necessity for maintaining armed forces adequate for national security, we are prepared to reduce or to increase our own armed forces in proportion to reductions or increases made by other countries. We avoid entering into alliances or entangling commitments but we believe in cooperative effort by peaceful and practicable means in support of the principles hereinbefore stated.

793.94/9064

*Memorandum by the Chief of the Division of Far Eastern Affairs
(Hornbeck)*

[WASHINGTON,] July 16, 1937.

The Japanese Chargé d'Affaires, Mr. Suma, called on the Secretary this afternoon on Mr. Suma's own initiative. The Secretary suggested that Mr. Hornbeck be present, and, Mr. Suma having assented, Mr. Hornbeck was called in.

Mr. Suma read, making some comments while reading, a memorandum, a copy of which is here attached.¹²

The Secretary then asked a number of questions and stated that, with impartial friendliness toward both sides, we are greatly interested in there being maintained peace. He asked the question: "How do you feel about the situation, do you feel hopeful?" Mr. Suma said: "I do not feel that there is very much hope," and he elaborated somewhat on the subject of Chinese methods and practices of evasion.

The Secretary then asked whether Mr. Hornbeck would wish to ask any questions. Mr. Hornbeck said that he wanted to make sure that there would not be a misunderstanding: he referred to the Secretary's question whether Mr. Suma felt hopeful and Mr. Suma's reply that he did not, and said that he wondered whether Mr. Suma meant that he was not hopeful that major hostilities would be averted. —Mr. Suma said that that was not what he had meant but that he had meant that he was not hopeful that there would be a speedy settlement, he thought the situation would drag along because of Chinese evasions and failure to live up to promises. —Mr. Hornbeck then asked whether Mr. Suma could state who had signed the agreement of July 11 referred to in the memorandum which Mr. Suma had read. —Mr. Suma replied that it had been signed on the Chinese side by the commanding officer of the 29th Army and on the Japanese side by a local Japanese authority. —Mr. Hornbeck asked whether the 29th Army was a part of the Chinese National Army. —Mr. Suma replied that it was. —Mr. Hornbeck asked whether its commanding officer would take orders from the Nanking Government and carry them out. —Mr. Suma replied that the commanding officer would take orders from Nanking but that there were divided elements in the 29th Army. He said that a part of that Army had been a part of the army of General Feng Yu-hsiang. —Mr. Hornbeck then said that there are many conflicting accounts on the subject of dispatch of Japanese armed forces from Japan: could Mr. Suma give us the facts. —Mr. Suma said that he did not know of any armed forces having been sent from Japan but he thought some were being sent from Korea and Manchuria. —Mr. Hornbeck then said that he would like to ask what perhaps might be an indiscreet question: Could Mr. Suma make a statement for the Secretary's benefit regarding just what it is that Japan is trying to do in north China, what is the Japanese objective? —Mr. Suma then talked at considerable length but with great vagueness of agreements which had been made for economic cooperation between Chinese and Japanese, of Chinese failure to live up to agreements, of the necessity for protecting Japanese nationals, etc. (NOTE: What Mr. Suma said was so little enlightening

¹² *Infra*.

from point of view of specification and so completely enlightening from point of view of the general purport that Japan wished to establish Japanese influence more completely, that it is believed no useful purpose would be served in trying to set down the details.)

S[TANLEY] K. H[ORNBECK]

793.94/9084

The Japanese Embassy to the Department of State

1. That the Japanese side did not take any drastic measures against wanton firing of the Chinese army on several occasions even after the truce of July 11, 1937 and that the terms of the settlement itself were lenient and practicable show clearly the basic principles of the Japanese Government not to aggravate the situation and to come promptly to a peaceful settlement.

Moreover, the Japanese army took the initiative in proposing a mutual withdrawal from the Yuanping area and actually carried out the withdrawal immediately after an agreement was made on July 11. Nothing is farther from the intention of the Japanese army than to occupy Lukow-Kiao or to control the Peiping-Hankow Railway as is alleged by a spokesman of the Chinese Government.

2. The Japanese troops stationed in Tientsin, Peiping, Fengtai, etc. are without exception in very small detachments. If the Chinese 29th Army challenged the Japanese on all sides, these detachments would have been decidedly isolated in great danger. In such an event, the lives and property of 2,000 Japanese residents in Peiping and 8,000 in Tientsin would also be jeopardized. The dispatch of additional forces from Japan to the troubled area is solely to prevent such an eventuality. It would also serve to localize the incident and preserve the peace, because sizable reinforcements from Japan would discourage any attempt on the part of China to challenge the Japanese detachments, which, in turn, would prevent open hostilities between Japan and China.

[WASHINGTON,] July 16, 1937.

793.94/8883

*Memorandum by the Chief of the Division of Far Eastern Affairs
(Hornbeck) of a Conversation With the Japanese Chargé (Suma)*

[WASHINGTON,] July 19, 1937.

Mr. Suma called at his own request at 4:15 this afternoon. He said that he had come to give me his Embassy's latest information. He said that his Government was awaiting a reply by the Nanking Government to a memorandum which it had given the Nanking

Government the day before. He said that much would depend on the character of the Nanking Government's reply. He then went on to speak of the general unreasonableness of the Chinese. He said that they had sent 60,000 troops to a point a little south of Paotingfu. He said that this was "very near" to the forbidden zone. To my inquiry, "How near," he replied, "About 200 miles." (NOTE: This is probably incorrect: the distance is probably nearer to 100 miles.) I replied that 200 miles would scarcely seem "very near." Mr. Suma then inquired whether we had had any reports of anti-Japanese sentiment among the Chinese at Hankow. I replied that we had not. Mr. Suma said that there was growing anti-Japanese sentiment at Hankow and that his Government was apprehensive with regard to it. (NOTE: On thinking it over, this remark seems to me significant: if it should be the case that the Japanese military contemplate making a drive against the Nanking Government, an attack upon Hankow (in central China) would be a logical strategic stroke; and, preparation therefor by featuring anti-Japanese sentiment at that point would be a logical move in diplomatic tactics.) Mr. Suma said that his Government was very anxious to keep the peace, but that the Chinese were hard to reason with: they must cease their opposition to Japan. I remarked that it seemed to me that all occidental minds found it very difficult to understand how the Japanese could expect at the same moment to be bringing military pressure upon the Chinese and to have the Chinese not entertain an anti-Japanese feeling. Mr. Suma again spoke of growing anti-Japanese sentiment at Hankow.

I said that a few minutes before this conversation had begun I had been with the Secretary of State about another matter and had mentioned to the Secretary the fact that Mr. Suma was about to call on me. I said that the Secretary had asked that I speak again, as from him, of the importance which this Government attaches to maintenance of peace. I said that the Secretary had remarked that from point of view of Japan's own interest he thought that to let this matter go to the point of major hostilities would be very detrimental. I said that we were saying the same things impartially to both sides and that both the American Government and the American people feel that a war between China and Japan would be very harmful to the interests of the whole world. Mr. Suma said that Japan did not want war.

Mr. Suma said that he had noticed accounts in the newspapers of an approach by the British Government to this Government and he would like to know whether it was true that such an approach had been made. I said that it was true. Mr. Suma inquired what the British Government had said. I replied that the British Government had given us information and had asked our views. Mr. Suma asked whether we had replied. I said that we had done so and that the

exchanges between the two Governments had been in the nature of consultation. Mr. Suma asked whether this was "finished." I replied that consultation can never be said to be "finished" and that in reference to any situation it is a natural process while the situation endures.

Mr. Suma then reverted to the matter of the reply which his Government awaits from the Nanking Government. He again said that much would hinge on that reply, and he again spoke of anti-Japanese sentiment among the Chinese. I again spoke of this Government's desire and hope that peace will be kept.

793.94/8869 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, July 20, 1937—midnight.

[Received July 20—2:10 p. m.]

214. At the termination of an emergency meeting of the Cabinet tonight, its third meeting today, the following statement was issued:

"An agreement to settle the North China incident locally was concluded at 11 o'clock on the evening of July 11 but among the Chinese regiments were some who impeded enforcement of the agreement and lawlessly fired on the Japanese, disturbing peace and order.

Moreover, as there could be seen no sincerity at all on the part of the Chinese to enforce the terms of the agreement, the Imperial Government has decided in accordance with its already fixed policy to take self-defense steps adequate for surveillance of the Chinese in enforcement of the agreement."

Repeated to Peiping.

GREW

793.94/8952

Memorandum by the Secretary of State

[WASHINGTON,] July 21, 1937.

The Ambassador of Japan called this morning at my request. After brief preliminaries, I very seriously addressed the Ambassador and said that, of course, he must be fully aware that when two nations comprising 500 million people are engaged in a controversy in which danger of general hostilities appear imminent, this country cannot help but be greatly interested and concerned; that it is in the light of this situation and of the intense desire of this country for peace everywhere that I have been undertaking to confer with the ambassadors from both Japan and China from time to time regarding developments, present and prospective, in the danger zone; that I

have approached each government, in a spirit of genuine friendliness and impartiality in an earnest effort to contribute something to the cause of peace and to the avoidance of hostilities in the Far East; that, if the Ambassador did not mind, I would be glad to reemphasize the chief points I had referred to in our previous conversations on this general subject and situation; that these included a most earnest appeal to each government, from every possible standpoint, for peace, as well as an earnest expression of the opinion that a war would result in irreparable harm to all governments involved and would prove utterly disastrous, in the present chaotic state of world affairs, to all phases of human welfare and human progress. After elaborating the foregoing views as fully as possible, I then said that I had also brought to the Ambassador's attention the great objective and beneficent purposes of the program adopted at Buenos Aires, including the 8-point pillar of peace proposals in my address at Buenos Aires,¹³ and I emphasized the view that such general hostilities now would utterly shatter the future prospects of this broad basic program for improving international relationships and to restore international order and thereby avoiding the opposite trend at present towards international anarchy; that I have been seeking to emphasize to all governments and all nations alike the basic points of this broad Buenos Aires program, and to this end I gave out a statement on last Friday¹⁴ containing these various proposals based originally on the 8-point pillars of peace statement; that I am getting a few of these out each day to various governments for their comment and, I hope, their approval and active cooperation; that I was glad herewith to hand to the Ambassador for his government a copy of this statement of last Friday, in the hope that his government can see its way clear to join with us and other nations in proclaiming the soundness and need of this program, and I added that it would be most pleasing to us if the Government of Japan could and would step up by our side and join in carrying forward this great program, the revival of the principles of which is so much needed by the world today. From the outset of our conversation, the Ambassador from time to time in brief words indicated his approval of what I was saying.

I then said to the Ambassador that I might repeat what I had also said to him at the beginning—that this government is ready and will be most glad at any time to say or do anything, short of mediation which of course requires the agreement of both parties in advance, which might in any way whatever contribute towards com-

¹³ *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires*, pp. 11, 82.

¹⁴ Statement of July 16, 1937, p. 325.

posing the present matters of controversy between Japan and China; that this was, of course, said to the Ambassador for his Government; and I added that I desired to repeat with emphasis the present, continued attitude of this government of thus being ready and desirous of saying or doing anything that the government or governments concerned might suggest which would be fair and impartial towards all concerned and at the same time calculated to be helpful in restoring thoroughly peaceful relations in the Far East.

I said to the Ambassador that there was another phase of the matter I would like to put before him. I explained that I was anxious that my point of view be completely understood and for this reason I would like to inform the American Ambassadors in Japan and in China of the conversations held here and would like to have those Ambassadors report what I said, just as the Ambassadors of those countries to whom I spoke here would report, to the Japanese and Chinese Governments.

At one stage I asked the Ambassador what the latest developments were. He replied that he knew very little in addition to what had been reported to me by the Japanese Counselor during the past three or four days, except a report about a clash near the Marco Polo Bridge in which the Japanese used artillery only and declined to use their infantry. He said their purpose was to localize the controversy and avoid general hostilities; that he still has hopes that this result may be accomplished; that they are not bringing down troops from Japan proper.

The Ambassador said little throughout the conversation, but sought to make himself agreeable. I emphasized to him that if we did not feel genuinely friendly and impartial towards his country and all concerned I would not be saying some of the things I was saying.

During the course of the conversation, I remarked that I desired to refer specially to an incident of the past two days in which two American women, near their embassy in Peking, were assaulted by Japanese guards. I said that I had remarked to the press, off the record, on yesterday that I had only received newspaper information about this attack upon the American women and I could not comment upon it with accuracy until official information came to me; that in the meantime I assumed and hoped that our Embassy in Peking would take the matter up with the Japanese Government and a settlement, or adjustment, or action satisfactory to all concerned would be brought about. The Ambassador expressed his favorable interest in such action and also his belief that such would be the case. Dr. Hornbeck, who was present, remarked to the Ambassador that similar incidents relating to our nationals or the nationals of other governments have occurred during the past five years and that it would be very helpful to the

reputation of the Japanese Government to see to it that their guards would deport and demean themselves in a way to avoid such occurrences. The Ambassador expressed his approval.

C[ORDELL] H[HULL]

793.94/9957

Memorandum by the Ambassador in Japan (Grew)

[Tokyo,] July 22, 1937.

1. In accordance with the Department's No. 122, July 21, 6 p. m.,¹⁵ I called on the Minister for Foreign Affairs at the Foreign Office this afternoon and repeated to him what Mr. Hull had said to Ambassador Saito concerning our interest in and concern with the situation in the Far East.

2. Mr. Hirota said that he fully understood Mr. Hull's message which he had not yet received from Mr. Saito, as well as his views. He said, however, that he would not reply for a few days because the situation in North China is steadily improving and he is more optimistic than heretofore as to a satisfactory settlement of the controversy. He states that practical evidence of his optimism is given by the fact that all troop movements from Japan to China have been stopped for the present.

3. The whole situation he says depends on the carrying out of the agreement drawn up on July 11 and signed on July 19 by General Chang representing General Sung. The main difficulty is that the Nanking Government will not recognize this agreement and is actively obstructing a settlement. Hirota does not ask that Nanking recognize the agreement but only that it shall withhold obstruction. He is at present working along those lines and says he already sees signs of a more favorable attitude on the part of Nanking.

4. The Minister said that General Sung desires the precise terms of the above-mentioned agreement to be kept confidential for the present. Mr. Hirota however read to me a rough translation from the Japanese text as follows:

a. Apology.

b. Punishment of the Chinese captain responsible for the outbreak of hostilities at the Marco Polo Bridge and the censuring of the Army commander.

c. Assurances for the future which comprise voluntary retirement of Chinese officials in North China who obstruct Sino-Japanese cooperation; expulsion of communist elements from that district; control of the Blue Shirts and other organizations hostile to Japan; control of education in the schools; cessation of anti-Japanese propaganda.

d. Withdrawal of the 37th Division from Peiping.

¹⁵ Not printed.

5. The Minister pointed out that no political demands are involved in this agreement and that headway is already being made toward carrying out its terms.

6. The Minister said that in view of the great sensitiveness of the Japanese press at the present moment he will answer any questions from newspaper men regarding the purpose of my call to the effect that I had come to inquire with regard to the present situation.

I reported this conversation to the Department in my No. 223, July 22, 7 p. m.¹⁶

A copy of my statement to the Minister is attached herewith.¹⁶

J[OSEPH] C. G[REW]

793.94/9309

Memorandum by the Chief of the Division of Far Eastern Affairs (Hornbeck) of a Conversation With the Counselor of the Japanese Embassy (Suma)

[Extract]

[WASHINGTON,] July 27, 1937.

3. Mr. Suma asked whether the Department had any important news. Mr. Hornbeck said that there was a matter about which we had received news this morning. We had received word that a Japanese officer in Peiping had communicated information, apparently to the senior commandant, to the effect that the Japanese intended to launch a general attack against Chinese forces both in and around Peiping. We were not prepared to vouch for the authenticity of this report, but it came with all the appearance of authenticity. Mr. Hornbeck said that he was instructed by the Secretary to say that we felt that such an attack, if made, would be attended with great hazards: fighting in Peiping might involve all sorts of accidents and jeopardy to the lives of the civilian and non-combatant population among whom there are a considerable number of foreigners among whom in turn there are over seven hundred American nationals; mere endangering of the lives of their nationals becomes a matter of concern to a number of governments; our concern is, of course, primarily for the lives of American nationals, but where people are thrown together what endangers all endangers each and vice versa; action endangering or destroying foreign lives in Peiping would produce an unfavorable reaction throughout the world; it would be hard to convince the world that such action was called for by considerations of "military necessity"; after all, the world could not help but see that these things are taking place on Chinese soil and in a region where the treaty

¹⁶ Not printed.

powers, including Japan, have special and common rights and obligations.

Mr. Hornbeck at this point said that he wanted to make it perfectly clear that we are not affirming that orders have been given for the action under reference. We are speaking in the light of what looks to us to be reliable information, but we are not making any charge. If such action is even in contemplation, it seems better for us to urge that it be not taken before it happens. Mr. Hornbeck then referred to the written statement which the Japanese Ambassador had left with us on July 12 and read the sentence in numbered paragraph six thereof which stands as follows:

"In any case the Japanese Government is prepared to give full consideration to the rights and interests of the Powers in China."

Mr. Hornbeck made the comment that among the interests of the powers in China, in fact perhaps first among their interests, at least in the case of the American Government, is that of the lives of nationals; our nationals are there, they have a right to be there, anything that endangers their lives is of great concern to us. Mr. Suma nodded assent.

Mr. Suma then asked whether we had "called our nationals in." Mr. Hornbeck said that we had not done so; we understood that there were standing arrangements on the part of all the Embassies, including the Japanese, for calling their nationals in and taking care of them when and as emergency situations developed. These arrangements, however, had always been based on the possibility of danger from Chinese sources or Chinese situations. We understood that the Japanese Embassy there was going to inform us if at any moment our nationals in the western hills needed to be called in. Mr. Hornbeck then said that we had information from a civilian source that the town of Tungchow had been wrecked by Japanese bombing but that two Americans at the American school there were safe. Mr. Suma seemed especially interested in this information.

Mr. Hornbeck said again (for the third time) that he wanted to be sure that there was no misunderstanding of what he had been saying, under instruction. We were not charging or even affirming that Japan intended to launch the attack under discussion, but we had been informed that information had come from a Japanese source that such an attack was intended. We wanted to ask that the Japanese Government give most serious consideration to all the implications and possibilities which might flow from such an action if taken. Mr. Suma said that he understood.

Mr. Suma said that he would doubtless be getting much news from his sources and that he would continue to keep us informed.

Mr. Hornbeck thanked Mr. Suma and expressed the hope that the situation would not become more critical. Mr. Suma expressed reciprocation of that hope.

The conversation there ended.

S[TANLEY] K. H[ORNBECK]

894.032/171

*Address Delivered by the Japanese Prime Minister (Prince Konoye)
Before the Japanese Diet on July 27, 1937¹⁷*

[Extract]

The Premier's administrative address in the Diet, as given by Domei, follows:

"At this 71st session of the Imperial Diet, I have the honor of stating the views of the Government.

"At a time when our nation is confronted by serious problems and difficulties, I have been most unexpectedly appointed Premier, and I am keenly aware of the heavy burden I have taken on my shoulders.

"I desire to elucidate, first of all, the principle which underlies the endeavors of the Government to fulfill its immense responsibilities. This principle is to make all our policies stem from a single source, namely, the spirit of the solemn and superb polity of our Empire. Expression of this spirit means that externally we should, in concert with other Powers, strive to establish true peace firmly in the world in accordance with international justice and to enhance more and more the prestige of our nation abroad and that internally we should define clearly the relationship between Sovereign and subjects and enable each of the people to find his proper place in accordance with social justice, bringing about thereby a steady and healthy advance of the national fortunes. Such, then, is the principle the Government expects to observe in formulating and carrying out its policies along various lines.

"It is a source of profound regret that, with the troublesome question with the Soviet Union brought to a peaceful settlement and relations with other Powers increasingly amicable, there has occurred the present incident in China and that the Government has been compelled to make an important decision. I am very grateful, however, that the Government has been accorded the united support of the nation at this critical moment. In sending troops to North China, of course, the Government has no other purpose, as was explained in its recent statement, than to preserve the peace of East Asia. I cannot but hope most fervently that reconsideration and self-discipline on the part of the Government and people of China will make speedily possible a fundamental adjustment of Sino-Japanese relations.

¹⁷ Reprinted from the *Japan Advertiser* (Tokyo) of July 28, 1937.

"In view of the current circumstances at home and abroad, it is of the most urgent necessity for us to perfect our national defense and develop the economic power of our country. Accordingly, as the basic means of carrying out our national policy, the Government feels imperative need to devise a comprehensive scheme aiming principally at expansion of the nation's productive power, establishment of equilibrium in international accounts and adjustment of the supply of and demand for commodities. Investigations are in progress with a view to formulating a concrete program based on the conception of Japan and Manchukuo as a single unit."

703.94/9087 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

[Extracts]

TOKYO, July 28, 1937—5 p. m.

[Received July 28—11:05 a. m.]

230. Department's 128, July 27, 1 p. m.¹⁸

1. The British Chargé d'Affaires and I saw the Minister for Foreign Affairs separately this morning. I carried out your instructions fully and with emphasis. In the course of my representations I made the following oral statement:

"Information issuing from various authoritative Japanese sources indicates that military operations may be imminently initiated by the Japanese military command in North China.

Since the initiation on July 7th of the current incident in North China, the Japanese Government has on various occasions and in various ways taken cognizance of the presence of American nationals, along with nationals of other foreign countries, in the affected area, and of the existence in that area of the rights and interests of the United States, along with rights and interests of other foreign countries, which are based on the Boxer Protocol¹⁹ and on other international instruments. There are cited in this relation a memorandum of the Japanese Ambassador which was delivered to the American Government on July 12th by the Japanese Ambassador at Washington, numbered paragraph 6 of which concludes: 'In any case the Japanese Government is prepared to give full consideration to the rights and interests of the Powers in China;' and to the statement issued yesterday by the Cabinet, in which there is contained the statement: 'It goes without saying that Japan will make every effort to give protection to the vested rights and interests in China of other foreign powers.'

It is earnestly hoped that the Japanese Government will give effect to the assurances which it has directly and indirectly conveyed to the American Government and that it will take effective measures toward

¹⁸ Not printed.

¹⁹ Signed September 7, 1901; *Foreign Relations*, 1901, Appendix (Affairs in China), p. 312.

dissuading the Japanese command in North China from proceeding with any plan for military operations which would be likely to endanger lives and property of American nationals."

5. The Minister for Foreign Affairs stated to me categorically that it is not true that the Japanese intend to launch a general attack against all Chinese forces both within and without the city of Peiping regardless of whether the withdrawal of the 37th Division is proceeding satisfactorily. He said that over 2 weeks' warning had been given to the Chinese troops to withdraw from Peiping on the basis of the agreement of July 11 and that since this warning had not been acted upon it had finally become necessary to set a time limit at noon today and that a Japanese attack would be carried out only if withdrawal of the 37th Division has not already taken place. He said he had no news today as to whether this withdrawal had been effected. The Minister appeared to ignore the sporadic Japanese attacks already reported from Peiping.

6. The Minister gave me explicit assurances that every effort would be made to protect the lives and property of American and other foreign nationals and the rights and interests of the United States and other powers in the affected area and he has confidence in General Katsuki who, the Minister says, has complete control of his troops. The Minister added however that the Japanese Consulate in Peiping had informed other foreign consuls that Japanese subjects in outlying districts had been advised to concentrate in the Legation quarter in Peiping. The Minister thought that similar steps would therefore have been taken by the other foreign consuls with respect to their own nationals.

Repeated to Peiping.

GREW

793.94/9957

Memorandum by the Ambassador in Japan (Grew)

[Tokyo,] August 6, 1937.

1. Last night the press bureau of the Foreign Office informally issued a statement concerning the reports that a considerable number of Americans are planning to offer their services as aviators to the Chinese Army. The statement could be read as implying that the American Government is responsible for not deterring these aviators and that this may reflect on the good relations between the United States and Japan. The statement also invoked our Neutrality Act.²⁰

²⁰ See act of August 31, 1935, and amendments of February 29, 1936, and May 1, 1937; 49 Stat. 1081, 1152, and 50 Stat. 121.

2. I therefore called this morning on the Minister for Foreign Affairs at the Foreign Office, telling him that I had come on my own initiative and not under instructions and that I was making no formal representations, but that since he himself had recently spoken to me of the present sensitiveness of the Japanese press and the importance of avoiding undesirable comment and speculation I desired to bring this statement to his attention. The statement had not been published in this morning's Japanese newspapers but I said I hoped it would not appear in the afternoon press. I told the Minister that, as he must well know, the American Government will do everything in its legal power to discourage or deter Americans from fighting in foreign armies. I also pointed out that the Neutrality Act is a domestic matter and that its interpretation by foreigners is difficult.

3. The Minister seemed much upset and immediately telephoned to the chief of the press bureau who informed him that the statement had thus far been given only to one correspondent, Byas of the *New York Times*. Mr. Hirota promised me that it would not be permitted to appear in the Japanese press and he thanked me for bringing the matter to his attention.

Sino-Japanese Relations.

4. In the course of our conversation Mr. Hirota said, "As I told you some time ago Japan does not want war with China. If the Chinese Central troops which have come up to Hopei Province will withdraw there will be no more fighting."

5. As on my own initiative and responsibility I took this opportunity to say to the Minister that I hoped he would not fail to let me know if he ever saw ways either now or in future by which I could be of help in this situation.

This conversation was reported to the Department in my No. 247, August 6, 4 p. m., and No. 248, August 6, 5 p. m.²¹

J[OSEPH] C. G[REW]

93.94/9957

Memorandum by the Ambassador in Japan (Grew)

[Tokyo,] August 10, 1937.

1. I called this afternoon on the Minister for Foreign Affairs at his official residence and began by referring to the statement which I had made to Mr. Hirota on my own initiative at our last interview to the effect that the American Government will do everything in its legal power to discourage or deter Americans from fighting in foreign armies, and I then told the Minister that my Government had authorized me to inform him that this statement was entirely accurate. I said that I appreciated the steps which the Minister had taken to pre-

²¹ Neither printed.

vent the appearance in the Japanese press of adverse comment concerning reports that American aviators were trying to enlist in the Chinese Army, and I also expressed appreciation of his statement in the Diet to the effect that the American Government was taking all appropriate measures. Mr. Hirota said that he had made his statement in the Diet as a direct result of my talk with him.

American Offer of Good Offices.

2. I then referred to the statement which I had made to the Minister in our last conversations as on my own initiative and responsibility, that I hoped he would let me know if he ever saw ways in which I could be helpful in the present situation. I said that my Government had now authorized me to present this as a definite offer of good offices and that I was doing so in an informal, confidential and exploratory way, first because it seemed to me important to avoid publicity, and second because we wished to avoid any semblance of interference and were only anxious to be as helpful as possible. I repeated and emphasized this aspect of my remarks so that there could be no doubt in the Minister's mind as to our precise attitude and intentions. I then said that it had occurred to us that either now or later it might be helpful for us to arrange some neutral ground for a meeting of Japanese and Chinese plenipotentiaries to conduct negotiations and perhaps to be helpful if difficulties in those negotiations should arise.

3. The Minister received this offer in an entirely friendly way but immediately said that an opening for such negotiations had already been made. It appears that in the conversation which had taken place in Shanghai yesterday between Ambassador Kawagoe and Mr. Kao, Chief of the Asiatic Bureau of the Chinese Foreign Office, Ambassador Kawagoe had presented a so-called "plan" for adjusting Sino-Japanese relations and that Mr. Kao had immediately left for Nanking to report this plan to General Chiang Kai-shek. Mr. Hirota said that he was not yet in possession of all the details of the conversation in Shanghai but that war might still be avoided if Chiang Kai-shek would respond with some "proposal" which would serve as a basis for negotiations. It was obvious from the Minister's remark that this would be a counter-proposal and not necessarily a reply to an ultimatum. Mr. Hirota however characterized the situation as critical and said that unless General Chiang Kai-shek should respond promptly and favorably it would be very difficult to avoid general warfare.

4. The Minister then said that the most effective action which could be taken by the American Government, if it desired to be helpful, would be to persuade General Chiang Kai-shek to make some kind of a proposal promptly.

5. I tried to get the Minister to reveal the general nature of the "plan" which Kawagoe had presented to Kao but Mr. Hirota seemed

reluctant to do so, merely stating that it involved conditions for doing away with all anti-Japanese activities in China and also for establishing "good relations" with Manchuria. I asked the Minister if this involved recognition by China of "Manchukuo", to which he merely replied, "that would be helpful".

6. Mr. Hirota asked that I regard as strictly confidential the fact that this opening for negotiations had been made because, he said, the press knows nothing about the nature of the Kawagoe-Kao conversation.

7. Mr. Hirota added that matters had been rendered worse by the recent assassination of a Japanese naval officer in Shanghai and that the Japanese Navy is very angry about it, but in order not to enflame the situation in Shanghai it is observing self-restraint.

8. This conversation was reported to the Department in my telegram No. 254, August 10, 7 p.m.²²

J[OSEPH] C. G[REW]

793.94/9306: Telegram

The Ambassador in China (Johnson) to the Secretary of State

NANKING, August 11, 1937—midnight.

[Received August 12—5 a. m.]

403. 1. I joined with my German, British, Italian and French colleagues in addressing notes of today's date to the Chinese Minister for Foreign Affairs and the Japanese Ambassador. They were delivered about 9 o'clock this evening.

2. . . .

3. The first paragraph of the letter to the Japanese Ambassador was the same as above.²³ The second paragraph read as follows:

"In an oral communication the Chinese authorities have already announced to some of the Embassies most interested their desire to avoid all hostilities in the Shanghai region. Prompted by the considerations mentioned in the foregoing paragraph, the Ambassadors most interested were, at the moment there was delivered to some of them the oral communication of the Chinese authorities indicating their desire to avoid all hostilities in the Shanghai region, preparing to approach simultaneously both the Chinese and the Japanese Governments on this subject. The undersigned diplomatic representatives, in the hope

²² Not printed.

²³ First paragraph as follows: "In the midst of the general uneasiness occasioned by recent events in North China, we have been feeling increasing anxiety for the safety of our nationals and the welfare of the immense foreign commercial and shipping interests in Shanghai and its vicinity. You will agree that it would be deplorable if hostilities should unfortunately occur in that region precipitating inevitably a chain of events which would gravely endanger foreign life and property." Quoted in telegram No. 390, Aug. 8, 1937, 1 p.m., from the Ambassador in China (793.94/9243).

that the Japanese authorities will do all in their power to carry out effectively a plan to exclude the Shanghai area from the scope of any possible hostilities, now address this communication to Your Excellency. We should welcome any assurance to that effect which Your Excellency may feel able to give."

Sent to Tokyo.

JOHNSON

711.00 Statement, July 16, 1937/205

Memorandum by the Secretary of State

[WASHINGTON,] August 13, 1937.

The Ambassador of Japan handed me the comment of his Government on my statement of foreign policy²⁴ given out some weeks ago and sent to all the governments. The attached is a copy.²⁵

The Ambassador then said that, on account of the action of the Chinese, the military situation in Shanghai was serious and that he did not know what might occur as a result in the way of crises and injuries to persons. I replied that this country and this Government greatly deplored the prospects or possibilities of a major military clash in Shanghai, adding that we would be extremely sorry to see anything of that sort occur; that both Japan and China would be held equally responsible by the nations of the world if a major military engagement should be brought on in Shanghai, since this is a great metropolitan world city of vast world commerce and comprising many large groups of foreigners; that the losses and injuries would be tremendous; and that no nation could justify such wholly unauthorized destruction. I strongly emphasized the point of equal responsibility. I stated to the Ambassador that this Government had said everything possible to responsible officials and persons on each side, both locally and generally, that might be in the least calculated to induce or encourage the Japanese and Chinese to keep troops out of the Shanghai area and so avoid a major or serious military clash. I emphasized this view as to the responsibility of both countries. The Ambassador did not argue this point. I further deplored the seriousness of the situation in China generally.

The Ambassador said that he would be glad to have his Counselor call during the afternoon and give the Department any additional information as to conditions, especially in Shanghai.

C[ORDELL] H[ULL]

²⁴ Statement issued July 16, 1937, p. 325.

²⁵ Note of Japanese Embassy printed *infra*.

711.00 Statement, July 16, 1937/192

The Japanese Embassy to the Department of State

The Japanese Government wishes to express its concurrence with the principles contained in the statement made by Secretary of State Hull on the 16th instant [*ultimo*] concerning the maintenance of world peace. It is the belief of the Japanese Government that the objectives of those principles will only be attained, in their application to the Far Eastern situation, by a full recognition and practical consideration of the actual particular circumstances of that region.

[WASHINGTON,] August 13, 1937.

793.94/10566

The Counselor of the Japanese Embassy in China (Hidaka) to the Counselor of the American Embassy in China (Peck)

NANKING, August 13, 1937.

DEAR MR. PECK: I have been instructed by my Ambassador at Shanghai to convey to Their Excellencies the American, British, French, German and Italian Ambassadors the views as stated in the separate paper attached hereto as his reply to their Note of the 11th instant.²⁶

I shall be very much indebted to you if you will be so good as to transmit it to the interested Ambassadors at the earliest opportunity.

Yours faithfully,

SHINROKURO HIDAKA

[Enclosure]

The Japanese Ambassador in China (Kawagoe) to the American Ambassador in China (Johnson), et al.

It goes without saying that the safety of the lives and property of the foreigners as well as the Japanese in Shanghai falls under the solicitous care of the Japanese Government. It follows therefore that it is the most sincere desire on their part to avert any armed hostilities being engaged in Shanghai and the districts adjacent to it.

2. In order to successfully fulfil the desire expressed above, however, it is a matter of urgent necessity that, with an ultimate view to achieving the faithful observance of the stipulations of the Shanghai Truce Agreement of 1932²⁷ by the Chinese authorities, steps must be taken, as provisory measures, to withdraw the Chinese regular troops and the equally well equipped Peace Preservation Corps that are at present concentrated in the vicinity of the settlements and are threatening the

²⁶ For text of the collective note of August 11, see telegram No. 403, Aug. 11, 1937, midnight, from the Ambassador in China, p. 341.

Japanese, at least outside the fighting distance, and also to demolish all their military constructions erected in the vicinity of the said area.

3. The Japanese Naval Landing Party are under the strict order to act with utmost self-control and perseverance. It can be definitely stated that they do not entertain the slightest intention of making any unprovoked attack on the Chinese troops or the Peace Preservation Corps. Also, the Japanese Government are fully prepared to withdraw their Naval Landing Party forces to their original positions provided that the conditions mentioned in the preceding paragraph are accepted by the Chinese authorities.

4. Under these circumstances, the Japanese Government earnestly request the interested Powers that, with the purpose of preserving Shanghai immune from the deplorable consequences of a warfare, they be good enough to exhaust all necessary means at their disposal in order to bring about the withdrawal of the Chinese troops and the Peace Preservation Corps at the earliest moment.

SHANGHAI, August 12th, 1937.

793.94/9957

Memorandum by the Ambassador in Japan (Grew)

[Tokyo,] August 13, 1937.

1. The Vice Minister for Foreign Affairs asked me to meet him at the Tokyo Club late this evening and gave me the text of the statement the sense of which Mr. Hidaka had been instructed to communicate today to the five ambassadors in Nanking in reply to their communication of August 11. In case any error should have occurred in communicating this message, the Vice Minister expressed the hope that I would cable the precise text to Washington. The text follows at the end of this memorandum.²⁸

2. The Vice Minister said that the situation in Shanghai is dangerous because Chinese troops have been sniping at the Japanese landing forces who have naturally returned the fire. The Japanese, he said, earnestly wish to avoid hostilities. He expressed the hope that the Ambassadors in Nanking would arrange through their consular representatives in Shanghai for the Chinese troops to withdraw "to an arranged point" whereupon the Japanese forces would likewise withdraw to their original position. I asked the Vice Minister if this was a request for mediation. He replied "Yes, local mediation".

3. I took the opportunity of this unsolicited interview to say to the Vice Minister that I desired to support earnestly and to urge the importance of the representations made by the five ambassadors

²⁸ For text as delivered at Nanking, see *supra*.

in Nanking to the Japanese Embassy to the effect that the Japanese would not use Shanghai as a base for hostilities and that they would not land further forces. The Vice Minister made no further comment except to thank me for having consistently had in mind the avoidance of undesirable publicity in the various steps which I have taken here.

4. The Vice Minister told me that he was communicating also to the other concerned ambassadors the instructions sent to Mr. Hidaka.

J[OSEPH] C. G[REW]

793.94/9334 : Telegram

The Consul General at Shanghai (Gauss) to the Secretary of State

SHANGHAI, August 13, 1937—3 p. m.

[Received August 13—10:35 a. m.]

467. The secretary of the Consular Body came to me this morning from the Japanese Consul General to say that the latter has again been instructed from Tokyo to do everything possible to avoid a conflict at Shanghai. Japanese Consul General desired to know whether I and my principal colleagues would be willing to explore the situation further with the Mayor. Japanese Consul General was quoted as saying he was prepared to recommend to his Government that Japanese forces here be substantially reduced and withdrawn if some similar recommendation can be made on Chinese side.

My British and French colleagues when consulted indicated their willingness to confer on the subject. They are meeting me shortly. I shall suggest that we then see the Japanese Consul General to confirm his position and to ascertain what he might be willing to recommend to Tokyo; and thereafter that we see the Mayor and inquire whether he would be willing to recommend some such action to his Government.

I am aware that Japanese may be taking their action from political motives in view of the large Chinese concentration here and their desire to confine the conflict to the north. At the same time, in view of the grave position here as it affects the safety of our nationals, I feel that we should not refuse to do whatever we can upon request to facilitate the desire of either side to initiate proposals or offers for reference to their respective Governments as a basis for any conversations they may then undertake between themselves or under the benevolent observance of higher authorities. Developments will be reported.

Sent to the Department. Repeated to Nanking and Peiping.

GAUSS

793.94/9338 : Telegram

The Consul General at Shanghai (Gauss) to the Secretary of State

SHANGHAI, August 13, 1937—9 p. m.

[Received August 13—9:55 a. m.]

473. My 467, August 13, 3 p. m. We saw Japanese Consul General. He did not state he had again been instructed to endeavor to avoid a conflict but said he would welcome any help that could be given to that end. No suggestions to offer. We asked whether he would be disposed to return to the *status quo ante*, which would necessitate withdrawal of his reinforcements as well as Chinese forces. He said he would be glad to put such a proposal to Tokyo. We then saw the Chinese Mayor and told him that while our efforts in the joint commission yesterday were without results we continued desirous of being of any assistance. We inquired whether he would be willing to put any proposals to Nanking for avoiding conflict. He said he was anxious to do so. We gradually approached a proposal for return to *status quo ante* and he appeared to be eager to work out what that would mean, but said he could make no commitment but would send anything to Nanking. An effort was then made to outline what it would mean, and he frequently brought up points to be covered. Finally the following was drafted in rough form: "General principles to be worked out between authorized Chinese and Japanese representatives. Chinese side. (1) Withdraw regular troops to former positions. (2) Peace Preservation Corps. General withdrawal about 2 miles from railway on all sides of Settlement, Chinese police only function in that evacuated area. Japanese side. (1) Withdrawal of their reinforcements leaving only normal garrison for protection of their nationals, to remain east of railway in northern area and to be withdrawn from cotton mills in western district. (2) Withdrawal of the additional naval vessels sent to Shanghai after incident on August 9th.["]

2. Mayor stated he would be glad to submit foregoing to Nanking Government if Japanese Consul General was willing to submit it to Tokyo. We then saw Japanese Consul General who seemed disposed to have the proposals and undertook to send them to Tokyo in the same manner as Mayor will send them to Nanking, without commitment. Mayor was so informed.

3. I have no hope that this gesture will be fruitful, but I felt under any circumstances that is [*it?*] seemed about all we could suggest.

4. Mayor said he had contacted commander of Chinese troops and had asked him to avoid a clash. But he stated that the clash was actually occurring at Two Character Bridge at that moment. This bridge is near Japanese barracks, Japanese Consul General also

mentioned this clash. We expressed to both sides the hope that they would be able to restrain their troops.

Repeated to Nanking and Tokyo.

GAUSS

793.94/9338 : Telegram

The Secretary of State to the Consul General at Shanghai (Gauss)

WASHINGTON, August 14, 1937—2 p. m.

216. Your 467, August 13, 3 p. m., and 473, August 13, 9 p. m. I heartily approve the action taken by you.

HULL

793.94/9432 : Telegram

The Ambassador in Japan (Grew) to the Secretary of State

TOKYO, August 16, 1937—6 p. m.

[Received August 16—3:18 p. m.]

272. Department's 146, August 13, midnight, and 149, August 14, 10 p. m.²⁹

1. This afternoon I called on the Minister for Foreign Affairs at his residence and handed to him an informal note the text of which is set forth in paragraph 8 of this telegram.

2. The situation today at Shanghai is such that, whatever the contributory causes, the Japanese Government is now confronted equally with neutral governments with the problem of protecting the lives of great numbers of their nationals at Shanghai. Even if neutral governments were prepared to assume by delegation responsibility for protection of Japanese nationals, it is not to be expected in the present state of affairs that the Japanese Government would be willing to delegate such responsibility. The Chinese bombings have of course rendered the situation infinitely more difficult and the probability of any Japanese [initiative] towards withdrawal seems hardly to be expected.

3. Nevertheless, realizing the profoundly grave aspects of the present situation, [I] availed myself of the authorization granted me in the last paragraph of Department's 149. My note was formulated in such language as would, in our opinion, hold out some perhaps slender prospect of a solution.

4. In my conversation with the Minister I spoke to him of your grave concern over the safety of American nationals in Shanghai and of your feeling that the only way of now avoiding more serious destruction and possible loss of life was for the withdrawal of one or both combatants. I also told him of what had been done in Shanghai.

²⁹ Neither printed.

I then read to him my informal note, pausing to render completely clear and to emphasize each separate point.

5. The Minister listened carefully and courteously and then said that he knew of the approach by the foreign consuls to the Japanese but he had not heard of their approach to the Chinese. He deeply regretted the loss of American life. He said that the Japanese Consulate General had been bombed today and that two persons therein had been seriously injured. He mentioned the Japanese decision to send reenforcements. I asked him whether these reenforcements could not be withheld until adequate time had been afforded for consideration and action on the proposals of the consuls and urged the great importance of such delay. The Minister said that these decisions now lay exclusively in the hands of Admiral Hasegawa.

6. The Minister referred to his previous comment concerning the Kawagoe-Kao conversations and to Kao's promise to return to Shanghai with Nanking's reply. Hirota added significantly that Kao had not returned.

7. The Minister said that Hidaka and other Japanese Embassy officials in Nanking had requested the consuls [*American Navy*] for transportation to some safe spot. He emphasized the fact that this does not constitute a breach of diplomatic relations and that Hidaka will probably eventually go to Shanghai to join Kawagoe.

Following is the text of my informal note:

8: "Tokyo, August 16, 1937. My Dear Minister: The initiation at Shanghai of hostilities between armed Japanese and Chinese forces has given rise on the part of my Government, which had looked forward with lively hope to a speedy adjustment of matters at issue between the Governments of Japan and of China, to a feeling of alarm over the safety of the lives and property of its nationals residing in Shanghai. I make no reference on this occasion to the broader issues over which controversy has arisen between the two powers with which the United States has long maintained ties of friendship: I now refer to the incalculable hazards to which combat operations at Shanghai between Japanese and Chinese forces are subjecting American nationals along with other nationals in no way involved in the creation of the military situation now existing in that area.

My colleague in Nanking has expressed to the Chinese Minister for Foreign Affairs the hope that some means may be found whereby the two Governments may get together and bring about a cessation of hostilities in the neighborhood of Shanghai, a hope which I earnestly share. My Government has urged upon the Chinese that their forces should be withdrawn. The important issue at the present moment is not a question of determining the initial responsibility for the outbreak, but there can be no doubt that if the Shanghai region continues to be made the theatre of battle, neither side can divest itself of responsibility.

There now appears to be but one hope of averting further destruction [*destructive*] and dangerous military operations at Shanghai, and

that lies in the withdrawal by one or both sides of its armed forces from Shanghai and from the environs of that city. The dangers imposed upon noncombatants of all nations and upon their property are so great that my Government feels warranted in entertaining the confident hope that the Japanese Government will contribute toward restoration of conditions of peace in and around Shanghai by giving speedy and favorable consideration to plans, of which Your Excellency is no doubt aware, calculated to bring about cessation of hostilities in the concerned area, that have been formulated by representatives at Shanghai of the interested powers.

I am, my dear Minister, with high respect, sincerely yours, Joseph C. Grew."

Repeated to Nanking.

GREW

793.94/9432: Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, August 17, 1937—3 p. m.

150. Your 272, August 16, 6 p. m. I heartily approve your action and excellent note. If not already done, please inform your British and, in your discretion, French colleague.

HULL

Press Release Issued by the Department of State on August 17, 1937

The Secretary, at his press conference this afternoon, announced that Congress was being asked for an appropriation of \$500,000 for the emergency relief and evacuation expenses necessitated by the situation in the Far East.

The Secretary said that the Government of the United States had been repeatedly urging the Governments of Japan and China not to conduct military operations or establish military bases in the Shanghai area. Furthermore since some outbreaks had occurred, the Government of the United States and some other governments had very earnestly expressed the opinion to both of the Governments involved that both alike would be considered responsible by the nations of the world for any hurtful or destructive or serious military activities that take place in the Shanghai area. The Secretary explained that this was in some respects an unusual locality, a great city with a population of three million in and about it, built up more or less by the nationals of many countries of the world, as well as by China, and that for destructive or major or serious military activities to be instituted there or carried on would be calculated to result in unthinkable injuries and dangers both to persons and property, and that there could not be any justification for military activities there.